UNIVERSITY OF TORONTO
3 1761 01475214 1

401

HISTORY

OF

NOVA SCOTIA

BY

DAVID ALLISON, M. A., LL. D.

VOLUME II

ILLUSTRATED

319368
16. 9. 35

1916
A. W. BOWEN & CO.
Halifax, Nova Scotia

403

CONTENTS

VOLUME I

Acadia, 1604-1613 ---- 25
Port Royal, 1605-1607 ---- 72
Champlain's Voyages and Discoveries, etc. ---- 98
Extracts of Lescarbot's History, etc. ---- 112
Abandonment of Port Royal, etc. ---- 124
Treaty of Saint Germain-en-Laye, etc. ---- 137
Treaty of Breda, etc. ---- 151
Treaty of Riswick, etc. ---- 164
Treaty of Aix-La-Chapelle—Surrender of Louisburg, etc. ---- 215
First Decision to Deport Acadians ---- 253
Historians' Views on the Expulsion of Acadians, etc. ---- 347

VOLUME II

CHAPTER I.—Conquest of Canada, etc. ---- 413
CHAPTER II.—Administering the Government, etc. ---- 424
CHAPTER III.—Stamp Act, etc. ---- 430
CHAPTER IV.—Land Grants, etc. ---- 438
CHAPTER V.—Acadian Repatriation, etc. ---- 453
CHAPTER VI.—Yorkshire Settlement, etc. ---- 465
CHAPTER VII.—Nova Scotia and the American Revolution, etc. ---- 483
CHAPTER VIII.—Close of War—Immigration of Loyalists, etc. ---- 510
CHAPTER IX.—Rise and Fall of Shelburne, etc. ---- 567
CHAPTER X.—Legislation from 1794 to 1799 ---- 541
CHAPTER XI.—Incidents in Careers of Tonge, Walker, Wentworth, Croke and Sherbrooke, etc. ---- 568

CONTENTS.

CHAPTER XII.—Ashburton Treaty—Boundary Dispute—War of 1812, etc. ---------- 592

CHAPTER XIII.—Governor Maitland, Richard J. Uniacke, Joseph Howe's Libel Suit, etc. ---------- 651

CHAPTER XIV.—An Executive and Legislative Council—James W. Johnstone—Lord Durham's Report, etc. ---------- 675

CHAPTER XV.—Change in the Political Situation—New Constitution—Hon. Joseph Howe's Policy—Halifax Incorporated, etc. ---------- 697

CHAPTER XVI.—Parliamentary History—Lord Falkland's Opposition —Railroads, etc. ---------- 713

CHAPTER XVII.—Church History ---------- 752

CHAPTER XVIII.—Educational ---------- 806

APPENDIX—Miscellaneous Subjects. ---------- 881

HISTORICAL INDEX

A

Acadia College ---- 856
alumni of ---- 860
buildings ---- 863
endowment ---- 866
Acadia, when made a dependency 154
Acadian repatriation, the ---- 452
Acadians, account of embarcation 264
attempt to return ---- 276
Belcher's opinions of ---- 347
circumstances of expulsion ---- 271
decision to deport ---- 253
injustice of expulsion ---- 283
deported ---- 462
Gov. Lawrence's attitude ---- 268
landing opposed ---- 275
oath of ---- 185
petition of ---- 352
remaining families ---- 457
return from exile ---- 460
regarded as enemies ---- 310
scheme to deceive ---- 257
sufferings of ---- 935
their case stated ---- 373
views of historians ---- 347
to West Indies ---- 459
"Agricola," writings of ---- 630
Agriculture, College of ---- 878
Agricultural reform ---- 629
Aix la Chapelle, treaty broken ---- 291
treaty of ---- 175
treaty of, when signed ---- 217
Alexander, colonization project of 133
Almon, William J. ---- 825
Allan, John ---- 902
Allison, Charles F. ---- 803
interest in education ---- 871
Alleine, Henry ---- 922
American Revolution, closing events of ---- 506
close of ---- 510
Nova Scotia's attitude ---- 485
Amherst, General ---- 297
to the Council ---- 455
Annand resolutions, the ---- 707
Antigonish, Diocese of ---- 770
Anti-Confederation government ---- 748
work of ---- 751
Anti-expulsionists, views of ---- 280
Appendix ---- 347
Arbuthnot, Marriott ---- 501
Archibald and Haliburton, a comparison ---- 661
Archibald, S. G. W., Master of Rolls ---- 704
views of ---- 654
bills of ---- 716
Armachiquois, physique of ---- 59
propensities of ---- 69
Army recruits from the United States ---- 734
Arnold, Gen. James R. ---- 821
Ashburton Treaty, the ---- 592
Assembly and Council ---- 303
Aubrey, Father Nicholas ---- 57
Austrian Succession, war of ---- 194

B

Bailey, Rev. Jacob ---- 759
Baptists of Nova Scotia ---- 783
Barclay, DeLancey ---- 821
John ---- 606
Major, eloquence of ---- 907
Thomas ---- 604
Barss, J. W., and Acadia College 861
Basin of Minas, exploration of ---- 109

Bathurst, Lord, dispatch---------- 929
Beausejour, siege of---------- 251
Belcher, Chief Justice-------336, 425
Berkeley's, Vice-Admiral's sword 569
Biencourt, death of---------- 128
Binney, Rev. Hibbert---------- 762
Black, Rev. William---------- 794
Bliss, William B. ---------- 823
Blowers, Sampson S. --------514, 660
Boulden, Rev. C. G. ---------- 819
Boundary dispute----------517, 606
Brandy dispute, the----------653, 659
Breda, treaty of---------- 151
Brenton, James ---------- 537
Breynton, Rev. John---------- 755
British North American Act----- 749
provinces ---------- 729
Brown, Rev. Andrew--------777, 920
Richard, quoted ---------- 363
Bryzelus, Rev. Paulus---------- 758
Bunbury, Sir Henry---------- 618
Burke, Rev. Edmund---------622, 768
Burpee, Rev. R. E. ---------- 782

C

Calvinists ---------- 917
Cameron, Rev. John---------775, 867
Campbell, Sir Colin, as last war governor ---------- 663
his recall ---------- 694
in Ceylon ---------- 696
Dr. D. A. ---------- 851
Lord William ---------- 435
Cape Breton, a province---------- 896
as a county---------- 519
first government of---------- 898
reannexation ---------- 929
Cape Cod, expedition to--------- 79
Cape La Have ---------- 52
Carleton's letter to Lord North-- 926
Carnegie's, Andrew, gift to Dalhousie ---------- 845
Castine, conquest of---------- 616
Fund, the ---------- 827
Cathedral, opening ---------- 765
Champlain aids de Monts------- 42
as King's geographer---------- 40
journal of ---------- 97
outstanding figure ---------- 48
report of voyage---------- 38
Chesapeake and Shannon, battle between, the ---------- 927
Chipman, Isaac ---------- 858
Church, first in Halifax---------- 238
of England in Nova Scotia---- 752
history of ---------- 752
Lay Association ---------- 763
School for Girls---------- 875
Cleveland, Rev. Aaron-------777, 918
Coal Mine Question, the-------- 737
Cochran, Andrew W. ---------- 823
Sir James ---------- 823
Gen. William ---------- 822
Thomas ---------- 822
Cogswell, Henry H. ---------- 822
Colleges, appropriations for----- 623
Collier, Sir Percy---------- 505
Comingoe, Bruin R. ---------- 778
Congregationalism ---------- 916
Connolly, Rev. Thomas L. ----- 768
Constitution, principles of a new 691
Copper mines ---------- 61
Cornwallis and the Acadians----- 233
as governor ---------- 221
Council and Assembly, disputes between ---------- 548
Council, churchmen in---------- 680
Sir Colin Campbell's---------- 685
restored to original size------ 679
stormy session of---------- 686
Courtney, Rev. Frederick-------- 764
Courts, establishment of--------- 285
Craig, Sir James---------- 583
Cramp, Dr. J. M. ----------788, 859
Crampton's, Sir John, recall----- 733
Crane, Col. Jonathan---------- 536
Crawley, Rev. Edmund A.----787, 824
Croke, Dr. Alex. ----------577, 582
Judge, his educational policy-- 811
Crown, appeals to the---------- 675

Cumming, Melville ---- 878
Curren, Benjamin ---- 825
Cushing's, Thomas letter to speaker of House---- 881
Customs Revenues ---- 651
Cutten, Rev. George B. ---- 866

D

Dalhousie, Lord, as Governor--- 620
as Governor-General of Canada 625
connection with King's College 814
farewell reception ---- 627
interest in education ---- 827
Dalhousie University---- 826
Alumnae Association ---- 848
College high school---- 835
faculty of Medicine---- 842
faculty of Dentistry---- 844
faculty of Law---- 843
faculty of Science---- 843
laboratories ---- 843
officers Training Corps---- 851
present Board of Governors--- 855
reorganized ---- 839
Science research scholarship--- 854
student's loan fund ---- 853
Dart, Rev. John---- 818
D'Anville Expedition, story of--- 207
DeChastes, colonizing project---- 37
DeMonts, colonization scheme of 39
cost of enterprise---- 45
experiment in Acadia---- 36
De La Galisonniere, character of 234
Deny's, activities at La Have---- 144
De Razilly and his colony---- 142
DesBarres, Maj. Frederic W. ---- 898
Douglas, Sir Howard---- 646
Draconian Code, the---- 840
Durham, Lord, as governor-general ---- 681
influence of report---- 688
mission to Quebec---- 682
railroad project ---- 722
report on Canada---- 687

E

Eagilson, Rev. John---- 791
Eddy, Col. Jonathan---- 901
letter to Gorham---- 904
account of attack on Ft. Cumberland ---- 905
Rebellion, the ---- 900
clash of regulars and rebels--- 906
Educational campaign, an---- 707
chapter ---- 806
Election, first after the Union--- 751
Ellis, Gov. Henry---- 424
Rev. William ---- 759
Emigration is invited to Nova Scotia ---- 314
Enlistment Act, foreign---- 731
Episcopate, plan for---- 922
Equal rights, question of---- 670
European colonization ---- 47
Experimental farm, the first---- 77

F

Fairbanks, Charles R., death of-- 704
Falkland as Governor---- 713
leaves Nova Scotia---- 715
Farmers of Agricola's time---- 630
Forrest, Dr. John---- 842
Fort Lawrence, Siege of---- 245
Francklyn, Michael, in England-- 464
plan of ---- 470
letter to Earl of Shelburne---- 881
death of ---- 510
Fraser, Rev. William---- 768
France. declares war---- 601
Fraser, Sir C. F. ---- 880
French fleet to Cape Breton---- 375
off Nova Scotia coasts---- 602
at St. John's ---- 343
French prisoners at Halifax---- 454
French rule in Acadia, suspension of ---- 148
Fur trade, influence of---- 35
Fusiliers, the Seventh---- 559

G

Garrettson, Freedorn ---------- 795
Geddie, Rev. John---------- 782
General Mining Association------ 737
German settlers ---------- 318
Ghent, treaty of---------- 617
Gilpin, Rev. Edwin---------- 825
Gladstone, W. E. ----------733
Glenelg's Lord, views---------- 676
Goderich, Lord ---------- 662
Gorham's, Col. J., letter to Col. J. Eddy ---------- 905
Gourley Shanty incident--------- 734
Governor Parr's instructions---- 896
Governors, the meeting of------- 645
Grant, Rev. James---------- 773
Gray, Rev. Benjamin G. -------- 821
Gray, Rev. J. W. D. ---------- 824
Grey, Earl ---------- 716
Green, Benjamin ---------- 433

H

Halifax, first settlers ---------- 754
founding of ---------- 753
how city derived name-------- 222
incorporated ---------- 704
Habitation, life at the---------- 73
Haliburton, Robert G. ---------- 825
Sir Brenton, death of---------- 739
Thomas C. ---------- 823
W. H. O. ---------- 621
Hannan, Rev. Michael---------- 769
Hannay, historian, quoted-------- 365
James, quoted ---------- 592
Harding, Harris ---------- 786
Theodore S. ---------- 785
Harrison, Rev. John---------- 753
Harvey's, Sir John, visit to England ---------- 723
death of ---------- 728
Havre de Grace---------- 46
Hector, emigrant vessel--------- 469
Hennigar, Rev. James G. ------- 802
Hensley, Rev. John M. --------- 825
Hill, Rev. George W. ---------- 825
Philip C. ---------- 825
Hind, Rev. Henry Y. ---------- 875
Hodgson, George W. ---------- 826
Hope, the brig---------- 468
Hopson, Gov. P. T. ---------- 240
House building on St. Mary's Bay 64
Houses of Parliament, disagreement of ---------- 671
Howe, Joseph, as Lieutenant-Governor ---------- 751
and the Nova Scotian--------- 664
as Commissioner of Fisheries-- 742
as Railway Commissioner------ 734
his defense ---------- 667
his acquittal ---------- 667
in the United States---------- 732
issues manifesto ---------- 724
libel suit ---------- 666
letters to Lord Russell-------- 690
opposes Union project-------- 750
visit to England---------- 743
watches enemies---------- 710
Hughes, Sir Richard---------- 503
as rear-admiral ---------- 508
Huntington, Herbert, death of-- 726
Huston, Capt. John---------- 337
Hutchinson, Rev. W. B. -------- 866

I

Indians, trouble with---------- 226
Inglis, Rev. Archibald P. -------- 809
Rev. Charles ---------- 760
Rev. John ---------- 761
Sir John E. W. ---------- 825

J

Jamaica, exiles from---------- 553
Jay's Treaty ---------- 607
Jeffrey, Thomas N., collector of customs ---------- 581
Johnstone, James W., as member of two councils---------- 678
as Judge in equity---------- 745
and Howe as rivals---------- 699
influence of ---------- 683
Howe's attack on---------- 685
resigns seat in Council-------- 708

Jonas, sailing of the---------- 76
Jones, Rev. James---------- 768
Judges, impeachment of---------- 528

K

Kempt, Sir James as Governor-- 633
Kent, Duke of---------- 558
at Gibraltar ---------- 560
his return to Nova Scotia----- 563
King's College, assistance from England ---------- 831
celebrates its centenary------- 819
charter of ---------- 810
date of opening---------- 809
first governors ---------- 809
history of ---------- 806
men win distinction---------- 820
King, Rev. William C. ---------- 759
Kirkes, fortunes of the--------- 130

L

LaCadie, verbal controversy----- 43
LaTour, his return to Acadia---- 140
Land grants ---------- 439
Lawrence, Charles ---------- 243
Lawrence, Governor, character of 382
and the New Englanders------ 288
to the Lords of Trade-------- 376
last public function---------- 323
death of ---------- 324
Legge, Governor Francis-------- 474
military law of---------- 489
Legislature, questions of organization ---------- 677
Lords of Trade, letter to Governor Lawrence ---------- 378
memorials to ---------- 330
Louisburg again in British hands 296
garrison renamed ---------- 519
history of ---------- 186
Philipps' reign ---------- 187
capture of ---------- 200
story of the siege---------- 202
effect of siege on New Englanders ---------- 206
prisoners of ---------- 217
surrender of ---------- 214
second siege of ---------- 295
Loyalists at mouth of St. John's-- 525
and disbanded troops------522, 895
influence on church---------- 538
of Shelburne---------- 910
seek new homes---------- 511
sufferings of ---------- 913
the number in Nova Scotia---- 808
Lurello, Rev. Clarendon--------- 818
Lyall, Dr. William---------- 839
Lyon, Rev. James---------- 777

M

Macdonald Memorial Library--- 846
Machin, Hannah J. ---------- 876
Mackenzie, Dr. A. S. ---------- 846
Macnab, John ---------- 851
Maillard, Abbe A. S. --------767, 771
Malicetes supply game---------- 68
Maritime Union, the---------- 747
Maine, claims of in boundary question ---------- 593
Maitland, Sir Peregrine---------- 651
question ---------- 593
Majibigwaduce ---------- 505
Maroons, the ----------551, 552, 555
Mardant, Sir Gaspard de-------- 728
Marsden, Joshua ---------- 796
Mars Hill argument---------- 612
Mascarene, Paul, career of------ 190
letter of ---------- 355
Masse, Father ---------- 126
Massey, Hart A. ---------- 873
"Meeting House," the ---------- 919
Memes, Dr. John S. ---------- 832
Memorial of House to the King_ 937
Methodism in Nova Scotia------ 797
Military Governors of Nova Scotia ---------- 573
Militia, volunteer---------- 491
Moekler Hall ---------- 870
Molasses Act ---------- 430
Moreau, Rev. Jean Baptiste--754, 757

Monro, George ---------- 841
Moore, Sir John ---------- 586
Mount Allison University------- 871
buildings ---------- 874
faculties of ---------- 874
governed by Methodist Church 872
Mt. St. Vincent, Academy of---- 770
Murdock, Beamish ---------- 477
Murdock, Rev. James---------- 777
Murdock, the historian, quoted-- 362
Muhlenburg, Rev. Doctor-------- 758
McCarthy, Rev. Edward J. ------ 770
McCulloch, Rev. Thomas--------- 781
as president of Dalhousie----- 832
death of ---------- 834
McCawley, Rev. George--------- 824
McNab, James, receiver general 720
McNutt, Alexander------439, 444, 448

N

Negroes to Sierra Leone-------- 599
Nelson, Rev. John---------- 791
"Neptune's Theatre" ---------- 80
Nesbitt, William, as church warden ---------- 755
New Engalnd settlers, Belcher's report on ----------316, 321
New Government, formation of-- 719
New France, boundaries of------ 33
Lescarbot's history of-------- 112
New Lights, the---------- 784
Nicholson, Gen. Francis-------- 753
Normal College, the---------- 878
Northwest Angle controversy---- 593
Nova Scotia, when name first appeared ---------- 150
and Acadia, name of---------- 169
emigrants to ---------- 231

O

O'Brien, Rev. Cornelius---------- 769
Onslow settlers, help for-------- 341
Ordre de bon Temps---------- 121
Oxley, George ---------- 792

P

Parliament, the Long--------479, 513
under responsible government 703
Parker, Robert ---------- 823
Party divisions, the first--------- 530
Parr, Governor John---------- 511
Parr's, Governor record---------- 598
Payzant's Godfrey, gift to Acadia College ---------- 864
Penguin Island ---------- 56
Perrot's commission cancelled--- 159
Petition from Acadians to Governor Wilmot ---------- 892
Philadelphia, the Company------ 467
Pickard, Rev. Humphrey-------- 874
Pictou Academy ---------- 781
Pictou Academy, date of founding 828
Pictou, settlement of---------- 466
Political situation, change in---- 697
Poole, Annals of---------- 498
Pontgrave reverses course------ 54
Pontgrave's religion ---------- 50
Port au Mouton---------- 53
Port des Mines---------- 60
Port Roseway ---------- 911
Port Royal Basin---------- 58
Port Royal, discovery of-------- 101
an incident of---------- 83
its abandonment ---------- 84
plantation of ---------- 70
changes at ---------- 72
Poutrincourt's personality ------ 49
Polling Bill, results of---------- 718
Presbyterian Church, the-------- 776
Preliminary explorations ------- 51
Prevost's, Sir George, return from Martinique ---------- 580
Prevost, Sir George, death of---- 584
as governor-general of Canada 584
Prisoners, source of trouble----- 609
Provincial College, question of-- 705
Pryor, Rev. John---------- 788

Q

Qualification Bill, the ---------- 705
Quarrel, Colonel ---------- 552

Quebec, conference at ---------- 748
siege of ---------- 307
Quit-Rents, receiver general of-- 652

R

Ramsay, George (Earl Dalhousie) 826
Railroad Building ---------- 721
is simplified ---------- 727
Railroad discussion ---------- 726
policy, the government's------- 728
Raymond, Rev. W. O., opinions of ---------- 592
Rebels capture a sloop---------- 903
Reciprocity Treaty, the--------- 729
Recollets, the ---------- 771
Repatriation, episode of--------- 932
Report of committee of H. M. Council on McNutt's address to Lords of Trade---------- 884
Resolutions, the twelve, their adoption ----------672, 673
Revenue Laws, discussion of---- 653
Richey, Matthew ---------- 799
Robie, S. B., retires from bench-- 664
Rockefeller's, John D., gift to Acadia College ---------- 864
Rogers, Hester Ann---------- 791
Roman Catholics in the Assembly 735
Roman Catholic Church, the---- 766
Ross, Rev. James---------- 839
Russell, Lord John, as colonial secretary ---------- 689
and the Durham policy------- 689
dispatches of ---------- 698
Ryswick, treaty of---------- 161

S

Sable Island ---------- 88
Savary, Alfred W. ---------- 825
Sawyer, Rev. Artemas W. ------ 790
as president of Acadia College 861
Secondon, Chief ---------- 107
Segogne, Abbe ---------- 649
Septennial Bill, the ---------- 595
Seringapatam, battle of---------- 585
Settlers of Truro and Londonderry ---------- 449
Seven Years War ---------- 292
Sexton, Frederick H. ---------- 879
School for the Blind---------- 880
Deaf ---------- 880
Scurvy, scourge of---------- 67
Shelburne, Lord ---------- 912
magic growth of town-------- 526
Sherbrooke, Sir John C. as governor ---------- 589
at Talavera ---------- 587
as attorney-general of Canada 617
extract from diary---------- 588
military record ---------- 585
is appointed lieutenant-governor ---------- 584
Shirley, William, declaration of-- 354
Smith, Rev. T. W., quoted------- 805
Society for the propagation of the gospel ---------- 753
Soloan, David ---------- 878
Spanish Succession, war of------ 165
Stamp Act ---------- 431
Stewart, Alexander ---------- 717
Stewart, Judge James, death of-- 656
Stuart, George O. ---------- 821
Stuart, Sir James---------- 822
Sunday School of St. Paul's church ---------- 755
Sydenham, Lord, as governor-general ---------- 692
St. Croix Island ---------- 63
settlement of ---------- 65
description of ---------- 103
visit to ---------- 119
winter at---------- 104
St. Francis Xavier College------ 867
with university powers-------- 869
buildings of ---------- 870
St. George, parish of---------- 757
St. Germain-en-Laye, treaty of-- 136
St. John, River of---------- 62
surrender of ---------- 345
St. Lawrence, exploration leading to settlement of ---------- 92

St. Matthew's Church---------- 776
St. Paul's Church, built at government expense ---------- 754
St. Peter's, importance of------- 248
St. Pierre, fall of---------- 603

T

Talavera, battle of---------- 587
Tartar and Senegal, the ships---- 500
Technical College, the Nova Scotia ---------- 879
Thompson, Sir John ---------- 769
Tobin, Michael, resignation of--- 736
Tonge, William C., leaves Nova Scotia ----------567, 576
Treaty of Ghent ---------- 617
Treaty of Utrecht, meaning of--- 167
Trotter, Rev. Thomas---------- 864
Trueman, William ---------- 792
Tupper, Sir Charles, influence in politics ---------- 751
and the education statute------ 746
in favor of unification of provinces ---------- 746
Tutty, Rev. William, work of---- 754
Twining, Rev. John T. --------- 823

U

Ulster immigrants ---------- 443
Uniacke's, James B., resignation- 694
Uniacke, Richard J., career of--- 657
Uniacke, Rev. Robert F. -------- 824
Union of Colleges, question of-- 816
Union of Provinces, question of-- 746
United Baptist Church---------- 787

V

Vignau, Nicholas ---------- 41

W

Walker Case, the---------- 568
Wallace, Michael ---------- 581
Walsh, Bishop William---------- 768
"Want of Confidence Motion," a 693
War Governors, last of the------ 663
War in Europe---------- 591
War of 1812----------591, 613
influence on Nova Scotia------ 614
Washington, George, letter of---- 495
Watson, Brook, letter to Dr. Brown ---------- 368
Webb, Rev. William---------- 802
Weldon, Charles W. ---------- 825
Weldon, John ---------- 792
Wellesley, Arthur ---------- 585
Welsford, Major A. F. --------- 824
Wentworth, Sir John---------- 600
hostility to Tonge---------- 545
and the Maroons ---------- 557
estimate of ---------- 571
Wild game, abundance of-------- 74
Wilkins, Isaac ---------- 532
Wilkins, Lewis M. ---------- 824
Wilkins, Martin I. ---------- 824
Wilmont, Colonel Montague---- 427
Wilmot, Governor, oath of------ 433
Willets, Rev. C. E. ---------- 819
Winslow reads document to Acadians ---------- 260
Wolfe, General James---294, 298, 309
Worrell, Rev. Clarendon L.------ 765
Writ of Prohibition---------- 44
cancellation of ---------- 90

Y

Yorkshire settlers---------- 472
Young, George R. ---------- 665
Young, William, as Haliburton's successor ---------- 739
Young's, Sir William, gift to Dalhousie ---------- 842

HISTORICAL.

CHAPTER I.

CONQUEST OF CANADA—TREATY OF PARIS—THE GREATER NOVA SCOTIA —ISLE OF ST. JEAN—CAPE BRETON.

The conquest of Canada which had been prefigured by Wolfe's victory at Quebec in September 1759, was consummated a year later, when Montreal, where Vaudrueil, the Governor General made his last stand, was compelled to capitulate to Amherst and other generals converging on it from points already seized by British arms. So far as operations in America were concerned, Vaudrueil's surrender brought the Seven Years War to an end three years before it had completely run its course in Europe.

Eventually preliminary articles of a general pacification were agreed on at Fontainebleau on November 2, 1762. Royal proclamations enjoining an immediate cessation of hostilities followed. On February 10, 1763, the definitive Treaty of Paris was signed.

Pitt, under whose masterly direction the chief successes of the war had been achieved, was no longer in office to dictate the terms of settlement. All he could do was to protest against concessions which he deemed discreditable to a nation which had emerged triumphant from the struggle,—the surrender of Havanna and the continuance to France of the provisions of the Treaty of Utrecht, guaranteeing her valuable rights and privileges in the waters and on the coasts of Newfoundland, with St. Pierre and Miquelon thrown in as a free gift.

But these were but small matters. Pitt's policy had triumphed. He had done for England, and particularly for the cause of England in North America, what even a temporising and selfish man like Bute could not undo. North America had been won. Instead of the English colonies being squeezed, as de la Galisonniere had planned, between the Alleghanies and the sea, and thus compressed almost into

nothingness, the flag of Britain now flew over the whole vast domain from the St. Lawrence to the Gulf, from the Atlantic to the Mississippi.

The following are the articles of the Treaty of Paris particularly relating to Canada and Nova Scotia:—

The following are the articles from the definitive Treaty of Paris, 10th of February, 1763, bearing upon the renunciation of Nova Scotia, and the cession of Canada to the Crown of Great Britain: His most Christian Majesty renounces all pretensions, which he has heretofore formed, or might form, to Nova Scotia, or Acadia in all its parts, and guaranties the whole of it, and with all its dependencies, to the King of Great Britain.

Moreover, his most Christian Majesty cedes and guarantees to his said Britannic Majesty, in full right, Canada, and all its dependencies, as well as the Island of Cape Breton, and all the other islands and coasts in the Gulf and River St. Lawrence, and in general, everything that depends on the said countries, lands, islands, and coasts, with the sovereignty, property, possession, and all rights, acquired by treaty or otherwise, which the most Christian King, and the Crown of France, have had till now over the said countries, islands, lands, places, coasts, and their inhabitants, so that the most Christian King cedes and makes over to the said King, and the Crown of Great Britain, and that in the most ample manner and form, without restriction, and without liberty to depart from the said cession and guaranty, under any pretence, or to disturb Great Britain in the possessions above mentioned.

His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada: he will consequently give the most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish church, as far as the laws of Great Britain permit.

His Britannic Majesty further agrees that the French inhabitants or others, who had been the subjects of the most Christian King in Canada, may retire, with all safety and freedom, whenever they shall think proper, and may sell their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions; the term limited for this emigration shall be fixed to the space of eighteen months, to be

computed from the day of the exchange of the ratification of the present treaty.

From 1760, the date of Vaudrueil's surrender until 1763, the date of the Treaty of Paris, Canada as a conquered country was under strict military rule. This bald statement, however, might give a wrong impression, for this seems to have been a case of military control of a civilian population at its best. General Jeffery Amherst, on whom devolved the duty of inaugurating British rule in Canada, was just the man for the hour. Without brilliancy or dash as a soldier, he owed his military successes to caution, foresight, self-possession, and inflexible resolve. It was beyond his power to win a victory like Wolfe's and equally impossible for him to have suffered a defeat like Braddock's. Into the administration of civil affairs he brought the same qualities that won him distinction on the field. His careful eye surveyed every feature of a delicate and difficult situation. The prepossessions and prejudices of the people whom he temporarily governed, and for whose future government he was called on to provide, were taken into account. He rightly saw the folly and the danger of attempting to impose on the French Canadians, either a full-fledged system of British law, or a harsh military despotism. Between these extremes a happy compromise was effected. A distinguished French jurist, who made the history of this interregnum period a matter of special investigation, bears testimony that "although the regimental officers were the administrators of justice, nevertheless they respected and even followed in their procedure the laws and ancient customs of the colony to the extent they knew then, or that circumstances permitted," The change of sovereignty did not become associated in the French Canadian mind, with the tearing up by the roots of everything made sacred by association and tradition.

ISLAND OF ST. JOHN.

Though the Treaty of Paris was signed on February 10th. (1763) it was not publicly proclaimed until September 8th. Three weeks later came an officially appointed day of general thanksgiving. Soon the *Gazette* published a proclamation to the effect that King George the Third, with the advice of the Privy Council had "connected the islands adjacent thereto, to our Government of Nova Scotia." The

Treaty thus in general terms ceded Cape Breton and St. John islands to Great Britain, while the proclamation specifically annexed them to Nova Scotia, practically the territorial equivalent of what we have called the historical Acadia, and of what are now known as the Maritime Provinces of the Dominion of Canada. That part of the greater Nova Scotia now constituting the Province of New Brunswick will not require special or separate consideration inasmuch as being according to the English centention an integral part of Acadia, or Nova Scotia. The cases of Cape Breton and Isle St. John stand on a different footing. They were foreign territory until 1763. Isle St. John will drop off in 1770, Cape Breton—happily but temporarily—in 1784. It is proposed to give a brief outline of the history of each during the periods (1763-1770 and 1763-1784) of their connection with Nova Scotia, if we cannot say of their incorporation in the greater Nova Scotia."

Governor Wilmot on opening the next ensuing session of the Assembly thus alluded to these important insular accretions: "The islands of Breton and St. John having been annexed to this government by the Royal Proclamation, I shall consider what profits and advantages may be thence derived, as soon as I shall receive His Majesty's instructions, and know his pleasure relating to the acquisitions."

As to the "acquisitions" the Governor lets us know very clearly the standard by which he proposes to elevate them. Everything depends on "the profits and advantages" that may accrue to the Province in general." His caution lays him open to the charge of disregarding the proverb which warns us against looking a gift-horse in the mouth.

A paragraph or two may be devoted to a consideration of the few facts known regarding the history of Isle St. John when a part of Nova Scotia. At the date of the Treaty of Paris this island had not recovered in the least from the desolate and depopulated condition in which Lord Rollo's fleet had left it a month or two after the fall of Louisburg. There were supposed to be about thirty Acadian families which somehow had managed to escape Lord Rollo's depopulating broom. Captain Hill with a company of troops occupied a wretched stockade called Fort Amherst.

In 1764 the British government appointed Samuel Hubbard to make a minute survey of the coasts of Isle St. John and Cape Breton. While engaged in this work, apparently in 1668, Captain Hubbard had

occasion to visit Halifax. About the same time instructions reached the authorities at Halifax to make arrangements for granting land in Isle St. John. What these instructions were in detail we have no means of knowing. Lieutenant-Governor Francklin and his Council interpreted them literally. In addition to laying off the island into counties, with county towns—the divisions and names remain undisturbed unto this day—they undertook to equip the island with a full staff of civil officials. "A judge was proposed, to have 200 pounds a year and other officials." Francklin wrote to the Secretary of State, "The Chief Surveyor (Captain Samuel Holland) with two assistant surveyors, and several other civil officers and magistrates, this day sailed from hence to the island of St. John." Isaac Deschamps of Windsor, M. P. P. for Newport, judge of the court of Common Pleas for Kings County, was appointed "to be for the time superintendent of affairs for the island." Jonathan Binney of Halifax was appointed second judge.

In due time the official party, including Mr. Morris, Provincial Surveyor General, reached Port Le Joie (Charlottetown) and proceeded to business. They selected the exact site on which Charlottetown now stands, put up a small shed as a home for themselves during the winter, laid off streets and actually disposed of house lots. Whether this official posse remained on the island during the winter or not, we have no means of knowing. A year later, so Murdock tells us, "Lieutenant-Governor Francklin's conduct in sending several officers and entering into expenses at the island of St. John, was censured by the authorities in England, who had only intended a survey of lots for settlers. He resolved to visit England and the Council gave its opinion that he might do so without express leave of absence from the King, as the Governor was now here to command."

Francklin went to England and returned, but does not appear to have given out any information as to what effect his representation to the "Authorities" may have had in modifying their criticism of his conduct in appointing a whole staff of officials for an absolutely unsettled country. Our Nova Scotia histories and we suppose our Nova Scotia records too, are barren of reference to the separation of the island from the Province of Nova Scotia. The separation actually took place in 1770.

Turning to Prince Edward Island histories and archives we get an

entirely different view of the development of affairs. The connection between the island and Nova Scotia established by the Treaty of Paris and King George's proclamation is indeed mentioned in the first few lines of the story and then dropped. The narrative for those early years consists mainly of an account of a series of efforts by the Earl of Egmont, first Lord of the Admiralty to obtain a grant of the whole island the same to be held in fee of the Crown forever. Egmont himself was to be Lord Paramount, with forty capital lords of forty hundreds, four hundred lords of manors and eight hundred freeholders. Each lord was to have a castle, and the castles were to be so near each other that a cannon fired at one castle would be heard at the next, and thus the firing would proceed in regular order from castle to castle and be the means of putting every inhabitant of the whole island under arms and in motion in the space of one quarter of an hour." This memorial, which we are told "was supported by thirty influential gentlemen" was referred by the King to the Board of Trade for consideration. The Board of Trade reported unfavorably on the general ground that the scheme was too military in its aim and scope, and concluded their statement with the following apt reference the precedent of Nova Scotia: "As your Majesty has been pleased to annex the island of St. John to your Province of Nova Scotia, we humbly recommend the settling it upon the plan and under the regulations approved by your Majesty for the settlement of that Province in general." Lord Egmont did not give the matter up. It is not necessary to trace the distinctions between his first and second memorials. The latter, in its turn, was unable to pass the ordeal of the Board of Trade. As a solution, the memorialist was offered a grant of 100,000 acres "to be selected by himself." Presumably the land offered was within the island of St. John itself. Still we find that Lord Egmont some years after (1770) obtained a grant of like extent on the Shubenacadie River in Nova Scotia, and that a little later "three vacant lots in front of his former grant were allowed him on the memorial of his agent, Mr. Woodmass."

CAPE BRETON ANNEXED.

Cape Breton, like the Island of St. John was ceded by the Treaty of Paris to England and like it, was by Royal proclamation "annexed

to the government of Nova Scotia." The new acquisition experienced something almost of the nature of a rebuff at the very inception of this connection. To induce officers and soldiers who had taken grants of land on a generous scale were offered all such veterans. Particularly to mark the government's appreciation of the service of Boscawen similar grants were offered "to such reduced officers of the navy of like rank as served on board of ships of war in North America at the time of the reduction of Louisburg. While in large numbers, officers seized the opportunity of acquiring lands in both Canada and Nova Scotia, none were allowed to take up grants in Cape Breton. Such certainly called for a statement of reasons. The reasons, as furnished Governor Wilmot of Nova Scotia by the Lords of Trade and Plantations, are not absolutely cogent and convincing. Coupling Cape Breton and St. John together, the Lords of Trade commend the islands as now connected with the government of Nova Scotia "to the Governor's particular care and attention." Wilmot is instructed to have a particular survey made of both, to collect information and to consider "what establishments might be necessary for effectually uniting them to Nova Scotia." However until the survey was completed, he was to make no grants to any one in either of the islands, and "to discourage every attempt that might in its nature and consequence operate as a monopoly. "This is perhaps the most—if not the only—argumentative point made by their lordships in explanation of the closure. In a second letter they repeat emphatically the prohibition, but without further showing cause. Wilmot was cautioned "against making any grants of land, upon any pretence whatever, in St. John's and Cape Breton Islands." The coal veins were in like manner hermetically sealed, though Brigadier-General Howe and several other officers were "desirous of becoming adventurers in opening coal mines and of endeavoring to establish a colliery for the better supplying the several colonies and garrisons on the continent with fuel," They offered to pay two shillings, sterling per ton (London measure) on every chaldron exported." The grant thus wanted extended "from the point on the north side of Mira Bay to the southeast side of the entrance into the Labrador (Le Bras d'Or)." Sir Samuel Fludgers applied first for a lease of all the coals in the island of Cape Breton "paying two shilings 6d. sterling for the first ten years, 3s. 9d. for the next ten, and 5s. for the last ten years of their lease. Then Sir Samuel

narrowed his offer down to the territory asked for by Brigadier-General Howe, but bidding much higher. All applications for coal areas and coal leases were summarily turned down by the Lords of Trade in their wisdom.

The administration of civil affairs in this earliest period of English rule in Cape Breton calls for some notice. In an account of affairs of the same date at the Island of St. John, we have quoted Governor Wilmot's guarded and calculated reference to the profits and advantages which the annexation of the two islands might bring to the Province in general, and his proposal to await instructions.

The island having been annexed to Nova Scotia by royal proclamation on October 7, 1763, the Governor in opening the Legislative Assembly on March 24th following stated, "that he should consider what profits and advantages might thence be derived to the Province in general, as soon as he should receive His Majesty's instructions and know his further pleasure relating to this acquisition." No steps, however, were taken for giving the island a voice in the Legislature until December 10, 1765, when it was orderd by the Governor and Council: "That the island of Cape Breton should be erected into a distinct county, to be known by the name of "County of Breton, comprehending the islands of Madame and Scatari, and all islands within three leagues, and that a writ should be issued for choosing two representatives; and further, that the free holders should be at liberty to choose non-residents." A very necessary proviso, no doubt, when we bear in mind that in the month of July previous, the Attorney-General had been ordered by Governor Wilmot "to make inquiry whether there was a sufficiency of people for making a jury to be summoned at Louisburg to try a man who had been charged with having committed a murder there." A writ accordingly having been issued to the Provost-Marshal, directing him to summons the Freeholders of the County of Breton to make choice of two representatives, John Grant, Esquire, and Mr. Gregory Townshend were elected, who proceeded to Halifax to take their seats in the Assembly on June 3, 1766.

The validity of their election having been called in question, on the ground that "the return varied from the tenor of the writ, which directed that the choice should be made by Freeholders, and the return specified that the same had been made by the inhabitants," it was on June 5th "Resolved and ordered that Messrs. Butler, Morris, Smith,

Brenton, and Burbridge be a committee to examine into the validity of the said election and report thereon." On June 7th, the committee reported as follows:

"1st. That the usage of choosing representatives in this Province has always been a majority of Freeholders in the county or town for which such representatives are chosen, in pursuance of a resolution of the Governor and Council passed August 22, 1759.

"2nd. That the Writ which by the above members are returned directs the Provost-Marshal in direct words to summon the Freeholders of the County of Breton qualified by the said resolution to make choice of two representatives for that county.

"3rd. By the return of the said writ, that the above election has been made by the inhabitants of the said county, and it does not appear to us that there is one Freeholder qualified as above directed in that county.

"Lastly. The committee therefore are of opinion that the said election is contrary to the resolution aforesaid, not conformable to the precept of the writ, and ought not to be admitted."

The report of the committee was adopted by the House. Then a difficulty arose. The Assembly had imposed taxes on the people of Cape Breton, to whom it was now denying the right of representation. Instead of solving the contradiction by altering the terms of the franchise, the Assembly proceeded to make matters worse by passing "An Act for the more effectual recovery of His Majesty's dues in the Islands of Cape Breton and St. John and islands adjacent." This heaping of injustice naturally, but without avail, led the people of Louisburg and wherever else English speaking people were found to transmit the following remonstrance to the Lords Commissioners of Trade and Plantations:

That they had been settlers in the island ever since its reduction, and that many of them had aided in that conquest: that their great distance from the capital of Nova Scotia was the cause of innumerable difficulties, from which the Governors of that colony had taken no measures to relieve them; that they were neither consulted at home nor represented in the Assembly; that they were oppressed by the most grevious impositions on almost every necessary commodity, and charged exorbitant rents for the liberty of dwelling in the wretched

ruins of the town of Louisburg; that they had no courts of justice to which they could apply for the redress of wrongs; that they had in vain applied to the Governors of Nova Scotia for absolute grants of land; and that spirituous liquors, so essential in carrying on the fisheries 'in this intemperate climate' were highly taxed by the Legislature of Nova Scotia while they were excluded from every benefit common to the settlers of the said Province.

No notice whatever was taken of this petition until May 28th in the following year when the Lords of Trade reported to His Majesty that no grants could be completed, as was well known to the people of Louisburg; that the island had been erected into a distinct county and a writ issued for choosing two representatives, (you have already seen how this had been settled twelve months previously), and that a commission had been issued for holding a Court of Quarter Sessions and for erecting a Court of Common Pleas. "This," they add, "being the state of affairs in Cape Breton, and the inhabitants of Louisburg having been made participant in every advantage, a privilege enjoyed by your Majesty's other subjects in the continental part of Nova Scotia, they had no foundation either in reason or justice to complain. On the contrary, we think that every attention has been paid to their interests, under their unauthorized state of settlement, they had any just right to expect."

So far as parliamentary representation was concerned the position of the people of Cape Breton was a peculiarly hard and trying one. The island had been duly constituted a county, and as a county of Nova Scotia had gained the right of sending two members to the Provincial Assembly. But members of course must be chosen in harmony with the provisions of the statute governing elections. By that statute, the franchise, that is the right of voting for members of the Assembly, was limited to freeholders. But in the County of Cape Breton there was not a single freeholder to be found. The right of representation was purely conditional; practically it was reduced to a perfect nullity. That there were bona fide, permanently domiciled, settlers on the island, was without question, but the only title they had to the property on which they lived was a so-called "license of occupation." The whole population was thus unfranchised. But though the situation was awkward and unpleasant, it was one for which a simple remedy seemed to suggest itself. By the conversion of licenses of occupation into freehold

grants the required constituency of voters could be at once provided. The Assembly undertook to grapple with the problem and on April 2, 1770, seven years after Cape Breton became a part of Nova Scotia, passed the following resolution: "That no writ shall issue to the Isle of Breton, because, of the want of freeholders to make an election, and that the said isle be deemed to be represented by the members for the County of Halifax, into which it has resolved and become a part thereof as heretofore." The absurdity of the suggestion that the people of Cape Breton should be represented by men in whose selections they had no voice whatever, is perhaps a little relieved when it is recalled that when the county system was established in Nova Scotia it had been decided to include in Halifax all places not embraced in other counties. No satisfactory explanation has been given of the extraordinary repugnance shown by England to the issue of freehold grants in Cape Breton, or of the wide contrast between the land policies pursued towards her and the island of St. John respectively. Cape Breton remained unrepresented in the Assembly through the whole period of her first connection with Nova Scotia.

CHAPTER II.

DIFFERENT MODES OF ADMINISTERING THE GOVERNMENT—VIEW OF BELCHER'S ADMINISTRATION—DISMISSAL OF OFFICIALS BY BELCHER—GOVERNOR MONTAGUE WILMOT—ASSEMBLY DISSOLVED IN 1765—NEW SCHEME OF REPRESENTATION—LIST OF MEMBERS RETURNED AT ENSUING ELECTION.

No ordinary powers of memory can retain with minute accuracy the lists of governors-in-chief, lieutenant-governors, and pro tem governors who administered the affairs of Nova Scotia during the half century following the founding of Halifax. This is particularly true of the period succeeding the death of Lawrence in 1760. For three years, Chief Justice Belcher was the actual administrator, for nearly a year by virtue of his position as president of the council, for the remainder of the period under regular commission as lieutenant-governor. Not long after Lawrence's death, Henry Ellis, Esq., of whom not much is known, except that in 1758 he was Governor of Georgia, was appointed "Captain-General and Governor-in-Chief of Nova Scotia," but contented himself with the titular distinction and the attached salary, leaving the duties to be performed by the lieutenant-governor. Ellis formally retired from the governorship-in-chief in August or September, 1763. A few months earlier Belcher had been superseded as lieutenant-governor by Col. Montague Wilmot, who, on Ellis's withdrawal, was on October 8th raised to the supreme command.

A review of the three years of Belcher's administration, we venture to say, tend to support the view that the concentration of the two highest offices in the Province—offices having little natural connection and obvious points of contrast, was decidedly unwise. The ministry at home took care that such a conjunction should not occur again. A "royal instruction" was read on the occasion of the induction of Wilmot into the governorship, less than a year after Belcher's retirement, "signifying His Majesty's pleasure that the Chief Justice of the

Province shall not be capable of taking on him the administration of the government on the death or absence of the Governor or Commander-in-chief." "His Majesty" was not infallible, but speaking generally one must say that his view seems to be an eminently wise one. If not absolutely incompatible, there was between the offices held by Belcher for three years, absolutely no natural correlation but rather much to suggest that the person who held the one should not hold the other. Besides, that a man already charged with the duty of constructing, and in his own sole person administering, the legal or judicial system of the Province, should in addition have time and strength for the onerous function of the governorship, at a time when the personal quality of the Governor was all important, was beyond all reasonable expectation. Things turned out much as they might have been anticipated to do. No distinctive mark of statesmanship is attached to Belcher's period of rule. The praise bestowed upon it is due to the light reflected from his judicial accomplishments and high personal character. What constructive statesmanship Belcher might have displayed under conditions different from those which actually confronted him, it was vain to conjecture. The record shows that his mind was scarcely for a moment free from the paralyzing fear inspired by the return to their native shores of bands—never too small to throw him into a panic—of the proscribed Canadian exiles. With each fresh batch of news, another dispatch to the Secretary of State, another letter to General Amherst, and of course several meetings of the Council.

The following extract from Murdock refers to an incident which occurred during Belcher's lieutenant-governorship: "In Council, 28th August, the lieutenant-governor was pleased to declare that His Majesty's ministry was so much offended against the members of the Assembly, who had not attended their duty there in the last fall, that he had directions to dismiss them from all their employments, both civil and military; and the lieutenant-governor ordered that the following gentlemen should be dismissed accordingly, viz: Mr. Malachy Salter, Mr. Jonathan Binney, Mr. Benjamin Gerrish, Mr. Philip Knaut, Mr. Robert Dennison, and Mr. Stephen West."

To the above paragraph, Murdock appends a note to the effect that Malachy Salter was his own great-grandfather, and in addition specifies the location of the said great-grandfather's home in Halifax: "at the corner of Hollis and Salter streets (the site now occupied by the

buildings of the Maritime Telephone Company). The historian, however does not go into a particular explanation as to the precise nature of the fault of the dismissed officials; whether it was simply a sin of "omission," mere failure to attend the session, or some graver breach of duty. Almost without exception the inculpated gentlemen had borne excellent representations. With the exception of Mr. Knaut, who was one of the German members for Luenburg, they were all New Englanders. Messrs. Salter, Binney and Gerrish had been members from the beginning. Mr. Dennison as one of the members for the newly created County of Kings, and Mr. West, one of the representatives of the township of Cornwallis.

As to the civil or military employments from which Governor Belcher dismissed the above named gentlemen full information is not available. What official position Jonathan Binney[1] then had does not seem to be known. Two years later he was made a member of the Council and subsequently held a number of important appointments. Malachy Salter, for whom one of the streets of Halifax is named. and a number of leading Nova Scotian families,[2] are descended, had one of the largest mercantile establishments in Halifax, but does not figure in the records as an officeholder. Benjamin Gerrish—Gerrish street perpetuates the family name—was "agent for Indian affairs." In his case we know the precise office from which he was dismissed. He was raised to the Council in 1768. Probably Binney and Salter held appointments in connection with the militia staff of the Province. The same is a plausible presumption in the case of the county members, Knaut, Dennison, and Best.

Joseph Gerrish, an elder brother of the Benjamin Gerrish, just mentioned as stripped by order of "His Majesty's Ministry" of whatever official positions he held, was the next to get into trouble. We read that on December 12th. a month or so after the previous dismissals, the lieutenant-governor declared "that in consequence of orders which he had received, Joseph Gerrish, Esq., must be suspended from being a member of the Council until His Majesty's pleasure shall be further known." Nor was this all. The fallen are often deemed worthy of an additional kick. Three days afterwards "the lieutenant-governor dismissed Joseph Gerish, Esq., from the office of Inferior

[1]Ancestor of the well-known Binney family.
[2]Duffus, Cunard, Morrow, Henry, Ritchie, Sangster.

Court of Common Pleas for the County of Halifax." It is hard to believe that the action taken by the ministry in the case of these dismissed officials was not based on representations or charges sent over by the lieutenant-governor himself. Just a year later at a council held immediately after the accession of Wilmot to the full governorship, a Royal mandamus was read reconstituting the complete Council. Among the names is that of Joseph Gerrish. One of the new appointees was William Nesbitt, who at that time was speaker of the Assembly and Attorney-General of the Province. Consequently, "while he was highly sensible of the honor that was intended for him, he had some very particular reasons to decline accepting therof," and therefore prayed the Governor to have him excused. He had been a member of the Assembly from the beginning and speaker until since 1759, and continued to sit both as a member and speaker until his death in 1783.

The grounds on which Col. Montague Wilmot received his appointment to the governorship of Nova Scotia have never been disclosed. His gift was oratory. Mr. Murdock has exhumed and embalmed the speeches with which he opened and closed the first session of the Assembly held after his appointment. He tells his "friends and fellow subjects" that "the most material points which at present demand your consideration are the revival of former laws, the enacting of those which may be useful, as well as the re-enacting such expiring laws as may be deemed most salutary and productive of the public good, and that you will take the most effectual measures in your power for the satisfaction and relief of such persons as may have any legal demands on the government. Long before His Majesty placed me in this station, was I well acquainted with the zeal and fidelity of his subjects of Nova Scotia." His speech at the adjournment is exhuberant with felicitations: "I cannot help professing that the event of your deliberations have more than answered my most sanguine hopes and expectations. Your minds untinctured with and divested of all private and selfish views have, to your honor, been directed to the public good, and have sufficiently served to confirm me in the opinion I ever entertained of you, as a prudent and truly worthy people. Long may this happy disposition remain among you—long may such virtuous principles flourish in this colony, and may I be allowed the happiness with every sincere well-wisher, to join in a sincere desire that they

may be permanent to the latest posterity." Not a great deal of important business was interjected between these orations. There were, however, some items of interest. "Mahogany chairs for each member (nineteen in number) were ordered to be made," and it was thought necessary to add, "by a carpenter." Laws were henceforth to be printed, and not as before to be published or proclaimed by being read on the parade, "after notice of beat of drum."

The most important matter before the House was a proposed enlargement of the Supreme Court by associating two puisne judges with the Chief Justice. It was conceived "that His Majesty's subjects ought not to rest satisfied with the judgment of one person only," and a formal address was presented to the Governor that this court should be held in every county, and that so important a court should not consist "of one man however capable and upright." The suggestion bore fruit. A few months later the Council recommended the ministry that two assistant judges of the Supreme Court should be appointed as asked for by the Assembly. When this recommendation came to be acted on the Chief Justice saw to it that his own powers and prerogatives on the bench were not too severely trenched on.

On the 39th of January, 1765, the Assembly was dissolved and writs issued for a new election, according to the following schedule of representation: The county of Halifax four members, each of the other counties two members; the town of Halifax, two members, and each of the following townships one member, Horton, Cornwallis, Falmouth, Cumberland, Granville, Annapolis, Lunenburg, Liverpool, Onslow and Truro. Any other township, it was provided, should have a right to this unitary representation whenever it could prove that it contained a population of fifty families. By comparing the list of townships enumerated with that of the members elected, it will be seen that between the publication of the schedule and the election, the township of Newport was allowed representation.

There were now six counties. The new County of Queens was defined as comprising the townships of Liverpool, Barrington and Yarmouth, the only point of settlement in the long stretch of territory lying between the counties of Lunenburg and Annapolis. Somewhat later it was arranged that the part of the present Province of New Brunswick lying to the west of Westmorland County—the latter being at that time included in the original County of Cumberland, should be

erected into a county which under the name of Sunbury, should be entitled to return as the other counties two members to the Assembly. Sackville, a New England township on the northern border of the isthmus of Chignecto, was added to the list of townships entitled to a member when a population of fifty families was reached. The act making these provisions goes on to mention the townships to which this principle of potential representation was supposed particularly to apply; Barrington, Yarmouth, Chester, Dublin, Amherst, St. John's (?) Windsor, Wilmot, (Annapolis Co.), Louisburg, and Wilmot town (Canso)." Of these the only places securing representation as townships, sooner or later, were Barrington, Yarmouth, Amherst, and Windsor.

The Governor and Council were, some years afterwards, instructed not to allow this scheme of increased township representation to take effect "without first ascertaining His Majesty's pleasure." It thus came about, that the system of allotting members to certain townships operated most inequitably. Some of the older counties obtained a voting power in the Assemblly to which their population did not entitle them. Some of the later organized counties obtained no township representation at all, and so were limited in the Assembly to the votes of their two county members.

The following is a list of the members returned for the fourth General Assembly of Nova Scotia:

Halifax County—William Nesbitt, Benjamin Gerrish, John Butler, William Best; King County—Winckworth Tonge, Charles Morris, Jr.; Queens County—William Smith, Simeon Perkins; Lunenburg County—Joseph Pernette, Philip Knaut; Annapolis County—Joseph Winnett, John Harris; Cumberland County—Benoni Danks, Gamaliel Smethurst; Halifax town—Charles Proctor, Richard Winman; Truro town—Charles Morris, Jr.; Onslow town—James Breton; Horton town—William Welch; Cornwallis town—John Burbridge;[1] Falmouth town—Isaac Deschamps; Newport town—John Day; Liverpool town—Elisha Freeman; Lunenburg town—A. Hinshelwood; Annapolis town—Henry Munro; Cumberland town—Josia Troop.

[1]Mr Burbridge had sat in the three previous Assemblies as one of the members for Halifax. He was an Englishman, a native of Comes, Isle of Wight. From the time of his settlement in Cornwallis, a few years prior to the election of 1765, until his death, he was perhaps the most influential man in Kings County. The well-known Burbridge family is descended from a nephew who followed him to Novo Scotia.

CHAPTER III.

STAMP ACT—NOVA SCOTIA DECLINES TO JOIN THE PROTEST WITH MASSACHUSETTS—MURDOCK COMMENTS—DEATH OF WILMOT—BENJAMIN GREEN BECOMES TEMPORARY ADMINISTRATOR—YARMOUTH AND SACKVILLE GRANTED REPRESENTATION IN THE ASSEMBLY—BRITISH VIEW OF COLONIAL MANUFACTURES—LORD WILLIAM CAMPBELL APPOINTED GOVERNOR-IN-CHIEF—LORD WILLIAM'S IMPRESSIONS OF THE RESOURCES OF NOVA SCOTIA—HE IS BLAMED BY THE MINISTRY FOR OPENING THE COAL MINES OF CAPE BRETON.

About this time (1764-5) projects of direct colonial taxation for the benefit of the imperial exchequer, previously mooted and then dropped, re-appeared and began to take definite shape. In 1764 Granville, Chancellor of the Exechuquer, gave notice of a bill requiring that a stamp for which duty must be paid in England, should be imposed on all written documents to make them legally valid. The notice was accompanied by an intimation that the measure would be willingly exchanged for any equally effective one that the colonies might prefer as better suited to their conditions. Instead of suggested substitutes the anouncement evoked loud and indignant remonstrance from New Hampshire to Georgia. Massachusetts was particularly conspicuous by the energy of her protests. The Molasses Act which forbade pious distillers from importing material for their New England rum from foreign countries was bad enough, but what was threatened now was the dread ogre of direct taxation.

Trans-Atlantic objections went for nothing. The ministry carried the act with an overwhelming majority and it came duly into operation, in Nova Scotia and the other colonies. The experiment proved to be a most unfortunate one. Vexatious in its details—the "schedule of

purposes" indicating the different forms required, covered no less than forty-three heads—it was still more objectionable, the bulk of the colonists claimed, on account of its principle. There was, however, a respectable minority who claimed that however inopportune and exasperating, the Stamp Act was not unconstitutional. Benjamin Franklin, it is said, offered his services to help the government obtain the services of an efficient stamp-collector in Pennsylvania. But whether constitutional or unconstitutional, the Stamp Act could not outride the show of indignation with which it was received. It broke down before Parliament had time to repeal it. The process of repeal which was carried through at the next session of Parliament was much facilitated by an intervening change of ministry, brought about, however, by causes having no connection with the Stamp Act. The repealing bill is said to have been inspired by Edmund Burke, the private secretary of the new Prime Minister, Lord Rockingham, and received the support of William Pitt. Parliament, however, did all that it could to make the surrender ungracious and unsatisfactory by passing a Declaratory Act affirming in most positive terms its constitutional right to impose direct taxation on the colonies. Notwithstanding the testimony of Governor Wilmot that "His Majesty's subjects in this Province have without any opposition submitted themselves to the authority of Parliament," we may be sure that if there was no active opposition, there was much inward dissatisfaction and not a little audible grumbling.

To anticipate somewhat for the sake of convenience. Two years after the repeal of the Stamp Act another Chancellor of the Exchequer, Charles Townshend, introduced and carried through Parliament an act imposing duties on tea and other articles imported into the colonies. This was not exactly a new principle, but as the revenue resulting was to be applied in making an American civil list, it had the effect of bringing colonial officials directly under the control of the home government, a policy which so far Massachusetts had steadfastly and successfully resisted. Moreover the wound inflicted by the Stamp Act had not yet entirely healed. To say nothing of its quality in the abstract, a more foolish policy than that of Townshend's cannot easily be conceived of. Massachusetts led the way in opposition to what she regarded as a new attack on colonial liberty. By order of the Assembly, the speaker addressed a circular letter to the Governors of the other

colonies. A copy of this letter will be found in Appendix "B" of this volume. The following despatch from Lieutenant-Governor Francklin will show how the letter was received in Nova Scotia:

Halifax, Nova Scotia, 29th March, 1768.

My Lord:—

Last night, Mr. Nesbitt, speaker of the House of Assembly of this Province, communicated to me a letter he had just received from the speaker of the House of Representatives of the Province of the Massachusetts Bay; and as the keeping up of a correspondence between the several colonies in their legislative capacities may in time prove of dangerous consequence, I conceived it proper to transmit to your lordship a copy of this letter. And at the same time I must pray leave to assure your lordship that no temptation, however great, will lead the inhabitants of this colony to show the least inclination to oppose acts of the British Parliament.

I have, &

MICHAEL FRANCKLIN.

The Right Honble. the Earl of Shelburne.

Many who hold in esteem the memory of Francklin, and admire his loyalty, could wish that he had chosen less slavish language in which to express his devotion to the Crown.

Murdock's comments on the situation are as judicious as his language is temperate: "There can be no doubt that at this time an almost unanimous opinion prevailed in America that such acts of Parliament were illegal and unconstitutional. Some of the Governors and officials made light of this sentiment, and thought that military power exhibited in force would frown it down; but meanwhile the attempt to oppose the current of public feeling kept alive the members of discontent. Hearts, once thoroughly loyal and submissive, became estranged and alienated; party spirit grew up, and the first seeds were sown of the revolutionary contest which began in action seven years later. Nova Scotia was, fortunately, but little excited or involved in the matter, although being so near the political volcano, she was more or less affected afterwards by its eruption and upheavals."

GOVERNOR WILMOT'S SUCCESSOR.

On May 6, 1766, Governor Wilmot applied through the colonial office for "His Majesty's gracious permission to return to England for twelve months, to get some relief in his (my) present bad state of health." In a fortnight—long before the letter had reached its destination—Wilmot succumbed to his fatal malady. As senior councillor, Benjamin Green[1] became temporary administrator, and a week after his entrance upon office was called on to open the legislative session, at which no business of great importance was transacted. The three townships of Kings County through petitions complained that it did not pay a suitor, however clear his claims might be, to go to the courts for justice, so high were the fees charged by Halifax lawyers. Both houses were informed that the Stamp Act had been repealed and the Declaration Act—affirming the imperial right of taxation—passed. An address expressive of gratitude for relief from the stamp nuisance was unanimously agreed to. This was the session at which, "the return for the County of Breton was reported by a committee to be invalid, not showing the choice to have been made by the freeholders," the said report also being confirmed by the House.

On the 23rd of August—the office of Governor-in-Chief being still left vacant—the honourable Michael Francklin was sworn in as lieutenant-governor, and at once assumed the command. In this position he was not superseded until 1776. Eminent as were his qualifications and deserts he was never raised to the full Governorship.

In his opening speech—the Assembly met early in October—Francklin congratulated the House on the "paternal tenderness of the King and Parliament for the colonies," and coupled with this an assurance that "the conduct observed in this government during the late Stamp Act commotions in America has obtained His Majesty's highest approbation." The House refused to pay the expenses of Governor Wilmot's funeral, though requested to do so by Francklin. Profuse expressions of respect were intermingled with plain intimations that

[1]Benjamin Green was the youngest son of Rev. Joseph Green of Salem, Mass. He was a graduate of Harvard and General Pepperrell's secretary at the first siege of Louisburg. Remaining at Louisburg in the position of government secretary until Cape Breton was restored to France, he removed to Halifax in 1749, and at once became a member of Cornwallis' council. Benjamin Green, Jr., M. P. P. and Provisional Treasurer was his son. Another son became sheriff of Halifax. The Green and Binney families became related by marriage.

the provincial coffers were empty. Two additional townships—so statistical returns show—had attained a population entitling them to representation in the House—Yarmouth and Sackville. The former elected as its first member, a non-resident, Malachy Salter of Halifax; the latter, a recent New England settler, Benjamin Mason, a native of Swansea,[1] Massachusetts.

The doctrine that the true function of a colony is to furnish a market for the manufactured products of the mother country, and that it is almost contrary to nature for a colony to cherish aspiration for doing something for itself, is well illustrated in a letter written by Francklin shortly after he became Governor, to the First Lord of Trade, Lord Shelburne. He is evidently replying to enquiries as to whether any signs of the noxious heresy of a colony throwing off its dependence on the looms and forges of England were beginning to manifest themselves in Nova Scotia. Francklin writes: "The country people in general work up for their own use, into stockings and a stuff they call homespun, what little wool their few sheep produce; and they also make part of their coarse linen from the flax they produce. The township of Truro, Onslow and Londonderry, consisting in the whole of 694 men, women and children, composed of people chiefly from the North of Ireland, make all their linen, and even some little to spare to the neighboring towns. This year they raised 7524 pounds of flax which will probably be worked up in their several families during this winter." The foregoing is explanatory and apologetic. Then come assurances: "I cannot omit representing to your lordship, on this occasion, that the government has at no time given encouragement to manufacturers which could interfere with those of Great Britain, nor has there been the least appearance of any association of private persons for that purpose, nor are there any persons who pro-

[1]In 1663, under the leadership of Rev. Nathaniel Mason, brother of the new member, the families comprising the entire membership of the Baptist church at Swansea, migrated to Sackville, to escape from the alleged oppression of the "Ruling Order" in their own town. It has been suggested that the selection of Sackville as a place likely to secure for them the priceless blessing of religious equality and freedom may have been due to the fact that its original settlers came from Rhode Island, honorably distinguished from her sister New England colonies by the veto put by Roger Williams on ecclesiastical arrogance and assumption. This is probably mere conjecture. So far as is known the original settlers of Sackville were all Congregationalists or independents. After an eight years' stay, the Mason community or church returned to New England, to what particular point, or with what subsequent history, there are no records to show. The fact that Sackville and the surrounding country in time became, as they continue to be, important Baptist centers has, so far as appears, no connection with the transient Mason episode.

fess themselves weavers, so as to make it their employment or business, but only work at it in their own families during the winter and other leisure time. It may be also proper to observe to your lordship that all the inhabitants of this colony are employed either in husbandry, fishing or providing lumber; and that all the manufactures for their clothing, and the utensils for farming and fishing, are made in Great Britain.

LORD CAMPBELL AS GOVERNOR.

On November 27, 1766, Lord William Campbell was sworn in as Governor in succession to Montague Wilmot, Michael Francklin continuing to hold the post of Lieutenant-Governor. During his term of office, extending over nearly seven years, he was much out of the Province, not particularly to the Province's loss, as during his absence affairs were in the hands of Michael Francklin, as able an administrator as ever discharged the duties of the governorship in Nova Scotia Lord Campbell is described as "a young gentleman, most deservedly esteemed, and is a most gallant and humane sea-officer." He was most favorably impressed with Nova Scotia, surveying her coasts as from the quarter deck, "Nova Scotia," he informs Lord Shelburne, "has more ports of safety for ships of any burden than any other Province of America, and almost at the entrance of those is blessed with those inexhaustible mines of fish which furnish all Europe with that commodity, and ought to be the fish nursery of seamen to supply, as occasion may require, the British navy." He showed good sense by pointing somewhat reproachfully to the neglected coal mines of Cape Breton, but takes care to suggest that by employing soldiers in the mines and applying the proceeds to the roads of the Province the thing might be so managed to augment the revenue and yet not interfere with England. Outside of these practical suggestions he is perhaps not quite so happy: Nova Scotia "can, I hope, bear the test of having always shown a most noble and submissive obedience."

Men, however, do not always practise what they preach. Lord William proceeded to do something which did not strike the Lords of Trade as evincing "a most noble and submissive obedience." Before his arrival in the Province, Francklin had urged the Ministry to allow the Cape Breton coal deposits to be taken advantage of so far as to secure at least five hundred pounds a year for the betterment of the

roads between Halifax and the interior towns. Francklin's proposition called forth a decidedly curt and peremptory refusal. Instructions were sent out stating that "His Majesty would not at present authorize or permit any coal mines to be opened or worked in the Island of Cape Breton, and ordering that all petitions and proposals for that purpose should be dismissed." Almost as soon as he was sworn in, Lord William proceeded to treat this prohibition as a nullity. He was impressed with the folly of allowing so much valuable coal to go to waste, and with the importance of improving the road to Windsor not only for the benefit of the farmers but also for that of the gentry of the capital, a goodly number of whom had established country seats on their grants round Fort Edward. So the Governor without delay granted an exclusive right for eight months to Benjamin Gerrish and three other Halifax merchants to dig 3,000 chaldrons in the island "anywhere except from such places where his Majesty's troops were at work digging for the use of the troops. For this privilege Gerrish and his partners agreed to pay five hundred pounds and to ship at least 1,500 chaldrons to Halifax at a maximum price of 32s. 6d. a chaldron. Unfortunately the venture did not prove profitable for Gerrish and those associated with him. Their total shipments amounted to only 2,280 chaldrons, though Halifax took a larger quantity than arranged for. An extension of time was asked for, because, (1) Their works had fallen in, not an unusual occurrence in coal mines; (2) European importation had been larger than usual, probably because there were more timber ships coming out. (3) There had been much smuggling of coal from Cape Breton to Louisburg by one Alexander Lee of Louisburg, which took the price down below the paying points. The seat of Gerrish's operations was at Spanish River (Sydney).

When called on to give an explanation of his bold conduct in defying the ministry in thus granting permission to Gerrish, Lord William's reply was that "having been told that the coal composed the surface of the island, and could be easily taken away by any adventurer, he considered it was better to use it and apply the proceeds to the making of roads in the Province." The neat appositeness of his reply seems to have saved him from direct censure. Indeed waxing bold, he proceeded shortly after to advise the Secretary of State to make free grants to the people of Louisburg, who were "since the island was annexed to Nova Scotia, obliged to pay the duties of impost and ex-

cise established in that Province, which they considered a great hardship, as they had not any lots of land or houses granted them there." It is hard to tell which of the policies against which Governor Campbell protested—the coal policy or the land policy—was the more indefensible, and the more prejudicial to the interests of Cape Breton.

In July, 1767, the Assembly met again. The speech of the Governor and the reply of the House were of the stereotyped description. "His Majesty is well pleased with the dutiful and grateful behaviour of his colony of Nova Scotia, and they may always depend on his royal favor and protection. On the other hand, we shall ever esteem ourselves happy my lord, when we have opportunity to show the obedience we owe to the King, and our ready submission to the laws of the British Parliament. The many powerful motives which engage us to this conduct will, we trust, always render us superior to any seduction by the bad example of those who may be misled by mistaken opinions. We are free to own our dependence." Obsequiousness would seem to have reached its limit. The majority of the men who used this language, or allowed it to be used for them, were native-born New Englanders.

CHAPTER IV.

THE UGLY YEAR—ENORMOUS LAND GRANTS—ALEXANDER MCNUTT AS A COLONISER—SETTLEMENT OF TRURO, LONDONDERRY, NEW DUBLIN, SHEFFIELD, PORT ROSEWAY AND NEW JERUSALEM —MCNUTT'S PERSONAL LIFE.

Chapter XXXLL of the second volume of Murdock's History concludes with a somewhat sad refrain: "In closing the outline of 1765, and reflecting on the very large land grants sanctioned by Colonel Wilmot and his Council, I cannot help thinking it an *ugly* year, and that the growth of the Province was long retarded by the rashness of giving forest lands away from the power of the Crown and of the people in such masses." The general view of the historian is incontestably a sound one. It is not clear, however, that he was not under a somewhat erroneous impression when he singled out the year 1765 as deserving a specially repulsive epithet. There were years before, and years after, 1765, which far surpassed it, in respect to the amount and value of the public lands conveyed without consideration to private ownership. Murdock's own record for 1764 begins with the statement that "petitions for grants were frequent at this time, and much land was granted; among others some merchants at Albany got 1000 acres each at Chediak (Shediac) and Tatamagouche reserved for them." Few large *en bloc* grants to individuals were made in Nova Scotia prior to the Treaty of Paris (1763). The policy then adopted of endowing discharged officers and soldiers with land led to natural extensions. So we find strewn along Murdock's records for 1764, such statements as the following: "On application of Lieutenant Desbarres, lands at Chipoudy and Tusket"—greatly in excess of the regulation allotment—"were reserved for Colonels Holdimand and Bouguet." "A large number of petitions for grants of land to reduced officers and *other settlers,* were considered in Council, and mostly passed." "Many petitions for grants of land were heard in Council and granted, one of Lord Colville for 20,000 acres at Ship Harbor; one

from Joseph Frederick Wallett DesBarres for 100,000 acres at the river Shepody; and Robert Sinclair, and 19 others for 20,000 acres near Beaver Harbor." A little later "several petitions of land were granted, among others Long Island or St. John's River to Sir Robert Wilmot, Kt. and 1,00 acres of land were granted to Ann Wilmot on the river Chibenadadie." These records are sufficient to show how the tide was running prior to 1765. And it is clear that Murdock records but a small fraction of land grants. In 1764 "That part of the tract of land formerly called Piziquid, on the southeast of the river commonly known by the name of Pisiquid River in this Province of Nova Scotia was erected into a township, hereinafter to be known and called by the name of Windsor." We are not told that this fine township instead of having been thrown open for general settlement like the adjacent country was wholly disposed of by huge grants to favored claimants. It is only incidentally, we learn that the Council voted in 1764, a grant of 20,000 acres to each of its members, *to be selected at will.* It is only fair to the Lords of Trade to mention that they reduced the Councillors' grants to 5,000 acres each.

What led Murdock to apply the hard term *ugly* to the year 1765 on the ground of the land-granting extravagance indulged in by the Council was undoubtedly certain extracts which he had just quoted from the Council records of that year, connected with the name of one Alexander McNutt. "In council, 30th April, an application was made for tracts of land, in all, 200,000 acres, by Alexander McNutt, acting on behalf of merchants and others, chiefly of Philadelphia, among whom was Dr. (Benjamin) Franklin. McNutt applied for a tract of land at or near Port Roseway (Shelburne), sufficient for a township, and further prayed that a charter might be granted to erect a city there, to be called Jerusalem." But there was more to come. "In Council 2nd July, 1765, on the memorial of Alexander McNutt, Esq., in behalf of himself and others, for 1,000,000 acres of land to be settled into townships, resolved that 100,000 acres shall be reserved for said Alexander McNutt, and his associates at Meramichi, at Pictou 100,000 acres, at St. Mary's River, 100,000 acres, at St. Mary's Bay, 100,000 acres, at Pedcondiak 100,000 acres, and 1,100,000 acres on St. John's River, on condition that fifty families shall be settled on each 100,000 acres every

year until the whole shall be completed. The first settlement to be completed without one year from the date of the reservation, allowing 500 acres to each family; and in case such settlement shall not be made in the first year, the reservation of the whole to be void."

In regard to these so called grants, it is to be observed that they are specifically grants for purposes of settlement, and not grants for individual enrichment. An onerous condition was attached to each, so onerous indeed that it was utterly incapable of fulfilment. Non-fulfilment might impose the necessity of formal escheat, but as a matter of fact no rights of proprietorship were created until the condition was performed. The enormous areas asked for with the stupendous immigration responsibilities nominally imposed, pretty plainly indicate an unbalanced mind. But if McNutt was crazy in making such demands, how could the council be sane in acceding to them? That body advised strongly in favor of even the New Jerusalem charter.

While McNutt was now grasping after the impossible, his previous services in connection with the settlement of Nova Scotia deserve fuller recognition than has been accorded them. Reference to these will follow a brief account of his varied, remarkable, and almost romantic career.

The following are the facts—pretty well ascertained—of McNutt's course in life, prior to his taking part in the work of settling Nova Scotia. He was born in Ireland (Ulster)—date of birth uncertain—and brought by his parents in childhood, to what is now West Virginia. In 1756 we find him—a grown man—taking a hand in a raid ordered by the Governor of Virginia on an Indian village near the Ohio. Two years later—September, 1758—he is in Londonderry, New Hampshire. There is no means of learning what induced this northward migration, but that, having come north, he should visit the only Scotch-Irish settlement in New England was perfectly natural. Short as was his stay in Londonderry, he secured enrollment among the "freeholders and inhabitants."

His next move was to attach himself to the militia service of Massachusetts, and we find him in 1760, as captain, taking a company of Provincial troops to Fort Cumberland, Nova Scotia, to do garrison duty there for a short term of service, simply from April to November. McNutt returned from Fort Cumberland to Boston by way of Halifax, and may have taken the same route in going.

The Memorial of the committee of Council to the Lords of Trade in rebutting McNutt's' charges of unfair treatment affirms that he had actually visited Halifax the previous August (1759) when he applied to Governor Lawrence for grants of land "for himself and sundry persons, his associates," and that the Governor had in writing consented to assign him a township at Port Roseway (now Shelburne) and six townships in Cobequid, or near Cobequid Bay and along the Shubenacadie River, with leave to settle families in thirty-five "rights" in the township of Granville, in Annapolis County. Though there is nothing about this directly in the Council books at Halifax—these records seem to sustain the committee's statement. It is there stated under date of November 3, 1760—if our history is accurate, McNutt must then have been at Fort Cumberland—that he petitions the Council, as the late Governor of the Province (Lawrence) had promised him land at Cobequid, Shubenadadie, and Port Roseway on the Cape Sable shore, on condition that he would procure settlers, to give him all the help this body could.

The Port Roseway part of the scheme was dropped for the present; the Cobequid proposition was endorsed.

The first result was the settlement of the township of Truro by immigrants chiefly from Londonderry, New Hampshire. These were almost entirely of Ulster origin, and the majority of the adults of Ulster birth as well. Twelve had done garrison duty at Fort Cumberland either with McNutt in 1760 or on similar service during the previous summer. In these muster-rolls are found the names of the following Truro grantees: Samuel Archibald, James Dunlap, John Fisher, William Foster, Robert Hunter, William Kennedy, John McKeen, John Taylor, Matthew Taylor, David Archibald, Thomas Dunlap and Charles McKay. The settlement of the township of Truro took place in 1761, though the settlers did not receive their regular grants until 1766. The Board of Trade was responsible for this irritating delay, objecting to free grants of the cultivated uplands and dyked marshes.

Beyond Onslow on the north side of Cobequid Bay, McNutt discerned a splendid site for a third Cobequid township. In the spring of 1761, without even waiting for his New Hampshire company to

sail for their new home, he was off to England, bearing a letter from Governor Belcher to the Lords of Trade, in which he was commended as a suitable agent to gather in Ulster, a body of colonists for Nova Scotia. The ministry was not in a mood to view with particular favor a proposition to further reduce the population of Ulster, but waived their objections in view of the interesting colonial experiment that was being tried across the water. McNutt lost no time in crossing the channel, raised his levy with great expedition and on the 9th of October was anchored at Cornwallis Island. The disputes regarding the probable or exact number of the immigrants are unimportant. A despatch printed in the Boston papers stated that "the passengers arrived here in good health, and a considerable number of them will proceed to remove with Colonel McNutt to view and examine the country." Another report recently disinterred is to the effect that "during the passage from Ireland the small-pox broke out on the "Hopewell" and that when the vessel reached Halifax harbour, by the Lieutenant-Governor's orders, her passengers were landed on Cornwallis Island, where they remained several days without shelter. As soon as possible after landing, McNutt waited on the Lieutenant-Governor and Council, informing them that he proposed "to set out in a few days with a number of the principal people to view the lands at Cobequid and Shubenacadie, after which he was to return to Ireland with their report of the country, and expected in the spring to bring over ten thousand persons to settle in the Province." Ten thousand—even if a typographical blunder for *two* thousand—is a stupendous exaggeration of all the probabilities and possibilities of the case, and betokens at least incipient mental derangement. No accurate list of the passengers who came in the Hopewell to Nova Scotia exists, neither have precise accounts come down as to the particulars of the settlement of the majority of them in the Cobequid township selected for them, and appropriately called Londonderry. A respectable minority preferred to try their fortunes towards the west and settled, a small number at Horton, and a goodly sized group in Windsor, where they rented from the large landed proprietors farms, whose freehold their descendants of the second generation almost invariably acquired.

ULSTER IMMIGRANTS.

In the spring of 1762, McNutt was off for Ireland again and brought back with him in the late autumn from one hundred and fifty to two hundred additional settlers. For these, a township on the west side of the La Have River—and to which the name of Dublin or New Dublin still clings—had been selected either by the council or McNutt or by the two acting in concert. Much mystery hangs over the movements and history of this body of immigrants. The following is Francklin's account of their arrival and earlier disposal: "Mr. McNutt very unexpectedly arrived here in November last at the head of about two hundred persons, embarked from Ireland for the plantations in general, and not for Nova Scotia in particular, as appeared by Mr. McNutt's demand of a sum of money for their provisions or that otherwise he would carry his passengers to Philadelphia. However contrary to his express engagement with the Lords of Trade that no expenses should be incurred to this government for his settlements, yet I conceived it might discourage the general plan resolved upon, if persons offering themselves, should, without some very pressing reason be refused, and therefore these people, who are in extreme poverty, were received upon the terms required by Mr. McNutt, and are at present fixed at New Dublin. In Des Brisay's History of Lunenburg the whole story of the original New Dublin is told in a few words: "A settlement was made in lower Dublin by people from Ireland in 1762. Hence the name of New Dublin. These emigrants left from time to time for places promising, as they thought, more inviting prospects." McNutt's brief account is that "in consequence of many discouragements, some of them embarked the following spring for New England, while part of those that remained became tenants to Belcher and Company." The completeness of the evacuation of Dublin by these Ulster immigrants is shown by the fact that in the general return of 1767, it is credited with only nine inhabitants of Irish birth or parentage.

At this point, McNutt's career as an actual colonizer practically ended. Thenceforth there were nothing but ambitions and inflated schemes, succeeding one another in swift and bewildering succession, and issuing in nothing but disappointment and mortification to himself and all concerned. This fact, however, should not blind us as

to the real and permanent value of the results which he did actually accomplish, and that in an almost incredibly short space of time (1761-3). To say that on his own initiative he founded the townships of Truro and Londonderry is to state but a partial truth. His settlers poured at an early date into the valleys of the Stewiacke and Musquodoboit, and took, and through their descendants still retain, almost exclusive possession of those exceptionally beautiful and fertile districts, while crossing the Shubenacadie and Cobequid Bay, they realized one of McNutt's cherished dreams by peopling the whole eastern part of Hants County, now the township of Douglas, without a name on the old maps but simply marked "for Colonel McNutt's settlers."

It is known that one of the vagaries in which our coloniser indulged when once he began to "dream dreams" and the time was not long in coming—was that he had originated the idea of planting New England settlers in Nova Scotia, and that the actual founding of the early townships had been carried out under his direction. This claim, which is absolutely without support, is to be set down as mere hallucination rather than as deliberate misrepresetnation. There is, however, if it can be said without self-contradition, a grain of truth in what McNutt claims for himself. While he had nothing to do with the earlier township settlements in the peninsula, either on the Bay of Fundy or on the southwestern coasts, he is entitled to the credit of planting a colony from New England on the River Saint John in 1762. Particulars are wanting as to how McNutt just before his first visit to Ireland came in contact with the people of Rowley, Massachusetts, a considerable portion of whom he found willing to accept his suggestion of immigrating to Nova Scotia. At Sheffield[1]—the name is still retained—vast stretches of most fertile intervale afforded exceptionally favorable conditions for agricultural development, and the township soon became one of the most prosperous in the Province.

MCNUTT'S FAILURE.

Truro, Sheffield and Londonderry are down to his assured credit. McNutt without much delay and under some undefinable impulse,

[1]In the general return of 1767, Maugerville is substituted for Sheffield, the actual name of the township. Joshua Mauger of Halifax had a trading post in Sheffield. Sheffield and Maugerville are now contiguous parishes in Sunbury County, New Brunswick.

entered on that wild career of exploitation which soon brought him to ruin and cast a regrettable shadow over his name. The collapse was sudden indeed. In 1765, we find the council granting him in addition to Port Roseway and the charter for New Jerusalem, one million six hundred thousand acres distributed variously from Saint Mary's Bay to Miramichi, and Governor Wilmot representing "McNutt as very active and zealous in promoting settlement." The very next year he is compelled to address a memorial to the Rt. Hon. the Lords Commissioners for Trade and Plantations inveighing in the strongest terms against the injustice of the treatment which he had received from the Nova Scotia Council. The memorial itself is not within our reach, but from the replies of the Council to at least some of the allegations a fairly good, though of course somewhat incomplete idea of his charges, can be obtained.

It is not necessary to consider the counter-charges of the Council, which they prefer against him as the best means of meeting his assaults. The weakness of the defense is that the various matters alleged to the prejudice of the memorialist were substantially sanctioned by themselves when they placed at his disposal nearly two million acres of land, and by their commander-in-chief when he pronounced so emphatic a eulogium upon him as "a promoter of settlement." Things had got into a very bad shape and each party was ready to lay the blame on the other.

But we are now speaking of events which took place in 1765, with a look forward to 1766. McNutt's active participation in the colonization of Nova Scotia ceased in 1762-3. Where had he been in the meantime, and what had he been doing? For the first year or two he seems to have been in England, engaged as he himself says in "sending away French Protestants to America," whatever that may mean. Then he is in America (Pennsylvania) in 1764, concocting plans with Benjamin Franklin and others for settling Nova Scotia with Scotch-Irish Americans. The grant of 100,000 acres at Peticodiac had reference to one of these schemes; that of 200,000 at Pictou, to another; one of 100,000 acres (included in the 1,100,000 acres) on the River St. John to a third.

To make a long story short, McNutt was unable to fulfil the conditions attached to these enormous grants and eventually they were escheated. When his memorial in 1766 failed to produce any effect, the best authorities now incline to believe he retired to the island in

Port Roseway (Shelburne) Harbour, still called by his name, where in company with a brother Joseph, he spent most of the time between 1766—the year of his collapse—and 1778, the year of his return to the colonies then fighting for their independence. McNutt's Island and some land on the adjacent shore occupied by the family, practically escaped from the escheatment of the Port Roseway grant.

Just how these years were spent by McNutt, it is impossible to speak definitely. There are traces of his having been much in the district of Colchester and in the adjoining county of Kings (Hants), in both of which he had some proprietary interests and many friends. During these years his youngest brother John was a resident in the township of Newport, as well as his sister Esther, the wife of Benjamin Wier.[1] To the last he was held in the highest esteem and affection by the people of Truro. Though in general his colonizing ambitions seem to have died out, occasional gleams of the old spirit showed themselves from time to time. Murdock quotes from the records of the Council under the year 1769 to the effect that McNutt had "parcelled out land to several persons, pretending to have authority under the King's sign manual to settle all ungranted lands in the Province. On this it was ordered that the Attorney-General should prosecute McNutt and that a proclamation should issue forbidding unauthorized occupation of land." Results of prosecution, if entered on, are unknown.

In 1778 McNutt, who was an ardent sympathizer with the revolutionary party in the older colonies, left Port Roseway and took up his residence in Boston, and in various ways exerted himself to bring Nova Scotia within the pale of the revolt then in progress. By memorials and in person, he appealed to the Continental Congress at Philadelphia to take steps in that direction. In at least one of his petitions he was joined by Phineas Nevers, one of his Ronley settlers on the Saint John, and by Samuel Rogers, M. P. P. for Sackville. The committee of Congress to which this petition was referred, recommended that "Lieutenant-Colonel Phineas Nevers and Captain Samuel Rogers be employed to lay out, mark and clear a road from the Penobscot River to the St. John River in the most commodious line and in the most prudent manner." The road was not constructed.

[1]Benjamin Wier was the father of Daniel Wier, M. P. P. for Newport. John Wier, M. P. P. for Londonderry, grandfather of the Hon. Benjamin Wier of Halifax, and ancestor of the entire numerous Wier family of Hants and Halifax.

For some time after the close of the War of Independence, Mcnutt's movements and whereabouts are obscure. It is beyond doubt that his closing years were spent in Virginia—that he died and was buried there in 1811. The long current tradition in Nova Scotia was that when he left Port Roseway for Boston in 1787, he left the Province for good. Recent investigations tend to overthrow this belief, and point to a return to Nova Scotia about the year 1786, with a domicile at Port Roseway (Shellburne) until 1791. The evidence on which this change of view rests is purely documentary, but seems conclusive. Tax lists and store accounts at Shelburne are supplemented by still more convincing proof: e. g. "Kings County, Horton, Nova Scotia, October 27, 1787. Personally appeared Alexander McNutt, Esq., and made solemn oath to the truth of the above manifest or certificate. Before me, Jonathan Crane, J. P." The manifest or certificate referred to in the magistrates' testamur had to do with the interest of his brothers, Joseph, Benjamin and John, in a grant of land at Londonderry, in which was included a thousand acres across the bay at Noel, Kings (now Hants) County.

Why, under what circumstances, and just when, McNutt left Shelburne for Virginia are points on which no positive light has been thrown. His kinsmen beyond the Alleghanies with whom he decided to spend his closing years of a somewhat troubled life, were far more remote from him than the brothers and the sister whom he was leaving behind in Nova Scotia. In the central districts of the Province he had a numerous body of attached friends. To the people of Truro particularly he was to the last the trusted "guide, philosopher and friend." During one year indeed of this his last sojourn in Nova Scotia, he seems to have been domiciled in the first township which he founded.

Over against these considerations there may perhaps be put as an offset the intensely loyal atmosphere of Shelburne, undoubtedly not congenial to the republican enthusiast. His early visions of a New Jerusalem on Port Roseway harbour were not exactly realized.

Of his last years spent in Virginia not much can be set down as in accordance with actual fact. No Virginian writings in which his name and career are referred to go farther back than twenty-five years after his death. Not altogether unnaturally, they are largely legendary and apocryphal. On perhaps his own exaggerations and

mis-statements, a vast structure of fiction was built up. A halo of romance gathered around his name. He had been Governor of Nova Scotia, and when he went to England in that capacity, had been admitted on the recommendation of the Governor of Virginia to an audience with the King. A "distinguished personage" he "wore the court costume of the reign of George II, with buckles and ornamental buttons of silver and trimmings of gold lace, a cocked hat, powdered hair, and top boots" while "his sword never left his side."

McNutt's work was done in Nova Scotia and it abides. Its importance and value are beyond question. The answer of the committee of Council to his memorial of 1766 does indeed contain a very disparaging reference to what he accomplished in providing Truro and Londonderry with their original settlers. In his memorial McNutt had represented that the reduction of township membership from two to one was a breach of faith, in which we may frankly admit that he was in error. But the committee's answer goes far beyond a denial and disproof of McNutt's' charge. It claims that "sending two members from each town he settles would, if granted, be highly prejudicial to the peace and good government of this colony, should those he may hereafter introduce into the Province be of the same troublesome disposition with the few he has brought, the Government here having experienced more difficulty in keeping peace in the little towns of Truro and Londonderry settled by Colonel McNutt's followers than with all the other settlements in the whole Province, they being mostly composed of persons from the charter governments, who still retain so great a degree of republican principles, that they make it a point, to oppose on all occasions every measure of government calculated to support the honor and authority of His Majesty's Crown and dignity." This ugly fling at Truro and Londonderry was under date of August, 1766, scarcely a year after the Council had granted 1,000,000 acres of land to McNutt and Governor Wilmot had testified that he was "very active and zealous in promoting settlement, and the people he had introduced here were useful and valuable settlers." So far our historians have generally professed themselves unable to find any grounds whatever on which to vindicate the Council's consistency—the Council adopted and sanctioned the committee's report, and particularly any on which the attack on Truro and Londonderry could

be justified. Industrially no townships had given a better account of themselves. They were the first of the new settlements to provide themselves with the ordinances of religion. Nowhere else were the interests of and property better safe-guarded. Wilmot was not the first Governor who made complimentary allusions to the McNutt settlers.

SETTLERS MERE SQUATTERS.

The castigation inflicted on the two townships can only be explained by the fact that they had complained more vigorously than other townships subjected to the same annoyances and injustice of delay in the perfection of the grants from the Crown. So far, and the fact remained so for nine years longer as far as Londonderry was concerned—the people were mere "Squatters," no man had an acre of marsh, cultivated upland, or forest that he could call his own. The Council put the blame of the delay on the Lords of Trade, who claimed that all but the untilled woodland should have been paid for by the grantees, notwithstanding Lawrence's explicit declarations to the contrary.

The fact being that the Council was as deep in the mire as McNutt so far as improvident grants were concerned, his memorial could only be parried by evasion and sophistry, which some times approximated very closely to absurdity. McNutt had received indulgence and kind treatment—that is, enormous grants—"not on account of his knowledge or ability, but from the hope the government had that his zeal and application to make settlements in this Province might be a means of inducing men of much more knowledge and ability than himself to become inhabitants in it." Whatever may be thought of taxing the settlers of these townships with "republican principles" (sic) the charge of over-attachment to "charter governments" is a strange one to emanate from a Council more than half of whose members were educated New Englanders. The settlers of Truro and Londonderry were almost entirely of Irish birth, though those of Truro had been domiciled in New Hampshire for a few years before coming to Nova Scotia. There were no charter governments in Ireland, while New Hampshire was, unlike Massachusetts, Connecticut, and Rhode Island a "royal province" and not a "charter government."

In the somewhat disconnected account given of McNutt and his colonizing work there are some not unimportant variations from statements made by the writer in an article which appeared in Vol. VII of N. S. Historial Society's collections. Since that article was written McNutt's' career has been subjected to very critical investigation: (1) by the Rev. Archdeacon Raymond of St. John in two valuable monographs and (2) by Dr. A. W. H. Eaton in an article contributed to *Americana* (December, 1913). The latter particularly has been freely drawn on in preparation of the above text. Doctor Eaton has probably said the last word on the Colonel's career in Nova Scotia. The following is a summary of his findings: Alexander had with him in Nova Scotia three brothers, and one sister: (1) Benjamin, who is known to have lived with him on McNutt's Island, Roseway, and who died, probably in Shelburne town, in September, 1798; (2) Joseph, who also lived at Port Roseway, on the mainland adjacent to McNutt's Island, and died, it is supposed, by drowning in 1785. He left several children, most of whom in their turn also had descendants. Rev. Arthur McNutt, a well-known Methodist minister of a former generation, was Joseph McNutt's grandson. (3) John McNutt, the youngest brother, is known to have lived from 1785 till towards the end of the century in Newport, Hants county. Prior to 1795, he removed to Londonderry, where he died and was buried. He married Ann Wier, born in Rhode Island, and daughter of Benjamin Wier, one of the original settlers of New Port. They left no descendants: (4) Esther, the only sister of Alexander McNutt in Nova Scotia, married in Newport Benjamin Wier, Jr., a brother of her brother John's wife. She was the ancestress of the numerous and influential Wier connection of Hants and Colchester Counties.

Colonel McNutt himself was never married. The following is his picture as drawn by Archdeacon Raymond: "He was quick to think, quick to act, quick to write. His memorials to the Lords of Trade and to the Governors of Nova Scotia are in some cases very voluminous, seemingly written with haste, not always elegant in style, and expressed with greater freedom than was customary in those days. Many of his suggestions were wise, his criticism was often trenchant and well-timed but on the other hand, some of his plans were very impractical and the claims he advanced not always reason-

able. He was a staunch upholder of the cause of civil and religious liberty."

Here is Dr. Eaton's portraiture: "A more active adventurer has perhaps never been seen on the American continent. He conceived great schemes, and showed remarkable energy in prosecuting them, but he seems to have been considerably unbalanced, and after tracing him carefully through the various checkered career, we are forced to the same conclusion that Lieutenant-Governor Belcher arrived at as early as 1761, that he was from first to last, an erratic individual, lacking in mental ballast, and one whose proposals needed to be watched."

CHAPTER V.

THE ACADIAN REPATRIATION.

We now approach the period of the so-called Acadian repatriation. For the past eleven or twelve years the proscribed race has dropped almost completely out of our story. New interests have arisen; other races have supplanted it. The man from Germany, the man from New England, the man from Ulster, these in succession have come to the front; the Acadian has vanished, or is in hiding; for the work of extermination has not been absolutely complete. Even at the time of greatest shrinkage limited bands of the outlawed fugitives were secreted in the woods of the Peninsula, or behind the boulders of the extreme southwestern shore. Larger bodies, too, sought refuge in the islands which then belonged to France, and in the vast inaccessible forests which stretched from the Bay of Fundy to the Saint Lawrence. Yet the fact remains that from 1755 to the death of Wilmot in 1766, any Acadian in Nova Scotia was either an outlaw or a prisoner.

Our last formal notice of Acadian affairs left the unfortunate victims of deportation involved in the nameless hardships and miseries which the harsh decree of Lawrence had made inevitable. We shall not pursue the narrative further in its melancholy and repulsive details. A measure harsh and cruel in itself, was carried out in a severe and drastic manner. Writers who vindicate the expulsion of the Acadians as a necessary "war measure" naturally dwell lightly on its method and especially on its tragic consequences. It was, they tell us, the surgeon's knife in an unavoidable operation. The life of the body politic was at stake. If its salvation has been secured, we can well afford to forget the process by which that great end has been accomplished. So on the other hand those who hold the deporting scheme to have been grossly inhuman and unjust in its general character, naturally use the hideous details as a means of strengthening their argument.

Charles Lawrence survived the event for which history holds him primarily responsible a little over five years. He followed up the original expulsion with sundry minor deportations of an equally summary, and perhaps a still more unjustifiable, character. The peninsula was swept clear. Further north the refugees from the Chignecto region, who had taken to the woods for safety, did not submit without a struggle. They strengthened the hands of the wily and elusive Boishebert who with a conglomerate force, Canadian, Acadian and Indian, glided through the forests from the Petitcodiac to the Restigouche, inspiring a terror out of all proportion to his real power to injure. But this state of things could not last long. The total and final eclipse of French power in America was fast drawing on. Meanwhile Lawrence kept his eye on the Acadians and maintained a policy towards them as vigorous and relentless as Strafford's "Thorough." The fall of Louisburg in 1758 stripped the maritime region of French and Canadian troops, and resulted in the deportation to England as prisoners of war of the large body of Acadians who had taken refuge in Isle St. John. The conquest of Quebec a year later dealt a final blow to Acadian hopes and prospects. Throughout what is now the Province of New Brunswick the Acadian population, which was by no means small, from almost every direction began to show signs of submission to the inevitable. Colonel Frye, in command at Fort Cumberland, was waited on by successive deputations, tendering surrender and seeking protection and food. Governor Lawrence was of course consulted. Frye informed him that in the spring of 1760 there would be at that place and at the Baie Verte, about 900 souls, to be disposed of as his excellency should see fit." Lawrence's first expression of opinion was to the effect that they should be deported. Whether he was led to change his personal view or not, a decision was reached at a Council held on January 12, 1760, to accept the submission of these Acadians and "assist them with provisions." The following spring they were brought to Halifax as prisoners. In this transaction there shines forth almost the only gleam of humanity disclosed in the whole deportation process. Lawrence and the Council informed Frye that "vessels would be provided for the transportation of such of the company as might not be able to march overland."

The tide continued to run in the same direction. In May Lawrence

had "300 French inhabitants of St. John's River, in Halifax, as prisoners, until he could send them to England. In July three or four hundred Acadians, assembled at Fort Cumberland, submitting themselves to Frye, who expected to receive similar proposals for such as were not able to travel by land to Halifax. In October Lawrence died. Chief Justice Belcher succeeded him as administrator and later as lieutenant-governor.

The Acadian situation at this point is interesting enough to require attention. Circumstances had undergone great changes, but so far there had been nothing of the nature of repatriation. A large number, several thousands certainly, of Acadians of various domicils, prior to the expulsion, had been drawn from the transisthmian region and concentrated at Halifax, where, imprisoned, they were awaiting what the fates had in store for them. "Mr. Belcher," says Murdock and certainly with much truth, "now made lieutenant-governor, appears to have been in constant dread from the scattered remnants of the Acadians in the remote parts of the Province, and wrote on the subject to the Earl of Egremont" Belcher's letters to Egremont, to the Lords of Trade, and especially to General Amherst, the Commander-in-Chief, amply sustains Murdock's statement. Belcher was afraid that the few Acadians left on the Restigouche would do something dreadful to the new settlers at Chignecto. Then his alarm was excited by "about forty of them remaining at the village of St. Ann's on the St. John River, who as yet, had made no offer of surrender." Then he had heard that "the French prisoners assembled frequently in great numbers at the Mass house," though the location of the edifice is not indicated. Belcher communicated this panicky feeling to the Assembly, which solemnly memorialised him to give "orders that these French prisoners may be removed out of the Province." Removal of these prisoners, however, was a step which Belcher could scarcely take without the sanction of some higher authority. He pressed the importance of this movement on General Amherst, who, however, had already written him strongly recommending that the Acadians should be allowed to continue in the Province. To this recommendation Belcher replied by transmitting to General Amherst the following minute of Council, adopted in view of the aforesaid recommendation: "The Council proceeded to take the same (General Amherst's letter) into consideration, etc. And that it is their unanimous opinion that the

said French Acadians cannot by the said royal order and the said provincial law, be permitted to remain in the Province, and the Council did advise that their opinion may be submitted with all deference to the consideration of His Excellency General Amherst."

GENERAL AMHERST TO THE COUNCIL.

Here is the General's reply to Minute of Council:

"New York, 22nd March, 1761.

"Your despatch of the 25th February reached my hands last night. I have nothing more at heart than the advantage and security of the Province of Nova Scotia; if the removal of the Acadians still remaining in the same could add to either, I should be the first to advise their expulsion, but, as under the new circumstances of that valuable and flourishing Province, I do not see that it can have anything to fear from those Acadians, but on the contrary that great advantages might be reaped in employing them properly; I must own I should incline towards letting them stay in the Province under proper regulations and restrictions."

Belcher's reply to this is not to be found, but its tenor is easily gathered from Amherst's answer, which is dated April 15th.

"I beg to differ in opinion with you on the insufficiency of troops in your Province. Those that are destined to remain there are far more than are required under your present circumstances, for the danger the late Governor (Lawrence) might have had some reason to apprehend is now entirely removed. The few Acadians (40 or 50) at Restigouche that are said not to have yet surrendered under the capitulation, can, I am certain, make no object, even were they to persist in their error; but depend upon it, they will soon awaken out of it and rejoice at our acceptance of their submission."

The correspondence continued at some length, Amherst sticking to his point to the last.

Foiled in one quarter, Belcher tried the game in another. His final appeal was to the Lords of Trade who handed the letter embodying the appeal to Lord Egremont, Secretary of State, that the Ministry itself might decide so important a matter. Lord Egremont's letter does

not appear to have been preserved, but Belcher's acknowledgement of it plainly indicates a refusal. Then came still another appeal, and still another reply, the latter like the previous one, presumably unfavorable.

The correspondence closed. Everything went on as usual. The immense majority of the Acadians were in Halifax, unarmed and under guard. A few hundreds, perhaps, were in the townships helping the new settlers rebuild the dykes and replace the sluices. Belcher decided to carry his point by a regular *coupe de main.* Having allowed the matter of deportation to simmer for six or seven months, he recommended to his Council the summary expulsion of the whole Acadian population. The Council agreed: "For all reasons, members of the Council are of opinion that, in this time of danger it is absolutely necessary immediately to transport the Acadians out of this Province as their continuing longer in it may be attended with the worst circumstances to the projected new settlements, in particular, as well as to the general safety of the Province. And therefore, the Council does unanimously advise and recommend, in the most earnest manner, for the safety and security of this Province and its new settlement, that the lieutenant-governor, would be pleased to take the openest method to collect and transport the said Acadians out of this Province, and do further advise that, as the Province of Massachusetts is nearest adjacent to this Province that the lieutenant-governor would be pleased to cause them to be transported to that Province with all convenient despatch."

Belcher proceeded to act upon the advice of his Council. Five transports were loaded with Acadians, including the bulk of those in Halifax and its environs, and despatched to Boston. Bernard, the Governor of Massachusetts, seems to have been willing to receive this shipment of exiles, but the Massachusetts Assembly in the most emphatic manner refused to concur. Under the Massachusetts charter such non-concurrence was fatal to the scheme. The transports lay idly in Boston harbour for two or three weeks, and then sailed back to Halifax.

We have not at command the letter—no doubt such a letter was sent—in which the ministry expressed its opinion of Belcher's fiasco. It, however, practically pronounced judgment by dismissing Belcher from the lieutenant-governorship and laying down the principle that

that office and the chief justiceship should never be conjoined in the future.

Their lordships, however, could not but be of the opinion, that, however expedient it might have been to have removed the Acadians at the time when the enterprises of the enemy themselves threatened danger to the province, yet as that danger is now over and hostilities between the two nations have ceased, it was neither necessary nor politic to remove them, as they might, by a proper disposition, promote the interests of the colony and be made useful members of society, agreeable to what appeared to be the sentiments of General Amherst in his letter."

Belcher, humiliated as he had been by the mortifying rebuff at Boston and the significant rebuke from the ministry at home, transmitted the Acadian problem unsolved—a legacy of trouble—to his successor, Governor Montague Wilmot. Unfortunately for both the Acadians and Nova Scotia, Wilmot took practically the same view of the pending question as Belcher, while he was about as weak an administrator as ever sat in the Governor's chair of our Province.

In the instructions received from Lord Halifax in connection with notice of his appointment, Wilmot was enjoined to use all possible and lawful means to prevent the withdrawal of the Acadians from Nova Scotia, and to facilitate to the extent of his ability their settlement in any part of the British dominion they might prefer. These instructions Wilmot proceeded to most flagrantly and persistently disregard.

Notice should be taken of the smallness of the group of Acadian people with which Belcher and Wilmot were successively called on to deal. The following is a copy of a memorandum transmitted to the Lords of Trade by Wilmot himself, on the 22nd of March, 1764:

"Number of families of Acadians still remaining in the Province:

	Families.	No. of Persons.
At Halifax and the	232	1,056
At Kings County, Fort Edward	77	227
At Annapolis Royal	23	91
At Fort Cumberland	73	288
Total	405	1,662

In addition to the above there are 300 souls on the Island of St. John (P. E. I.) and No. 150 at Canso."

Richard estimates, and he is probably not far astray, that of the adults included in the above figures, five-sixths were women. They were now practically prisoners under close surveillance, but wherever settled, what possible harm to anyone could such a company of persons have done? It makes one blush, and at the same to utterly doubt his good faith, to find an English Governor and a British soldier, writing craven letters and despatches as to the danger to which the country would be put by allowing these poor helpless people to occupy if not, what ten or eleven years before had been their own land, yet some small space in the land of their forefathers. This was not to be just yet, nor at any time in the future, for a good many of them.

WILMOT'S DETERMINATION.

Governor Wilmot's heart was set not on obeying the instructions of Lord Halifax, but on getting the small remnant of Acadians still left out of the Province somehow. He ventures on arguing the question with his lordship: "It has always been the opinion of this government, and is at this time, that the settlement of them (the Acadians) in this Province is inconsistent with the safety of it. . . . If settled in any other Province, it should not be those of the neighboring colonies of New England, for, I conceive my lord, that the proximity to Nova Scotia, would on all occasions, strongly induce them to be active in disturbing this Province from their returning into it. As to Canada, they would not be well treated or happy. And on Canadian borders or this Province, I don't apprehend that it would be either safe for us, or satisfactory to them."

His advice to the Ministry was to allow their deportation to the French West Indies: "It is on account of all these considerations, that I have in my two former letters, offered to your lordships, the measure of transporting them to some of the West India Islands. There cut off from the continent, and from all hopes of returning, they would content themselves with a settlement."

Lord Halifax was not to be baulked of his purpose. He insisted that the Acadians should be settled in Nova Scotia," in such parts of your government as may be agreeable to themselves consistent with the public peace and security." Taking advantage of the attached condition, Wilmot and the Council proceeded to concoct a scheme, which,

while superficially agreeable to Lord Halifax's instructions, would be sure of rejection by the party to whom it was to be offered. The proposal was to locate the families in groups of ten at certain points remote from one another throughout the Province. Acceptance of the proposal implied acceptance of an oath so framed as to offend the religious sentiments of those to whom it was to be offered. Wilmot's expectation was realized. The Acadians rejected a proposition which was not even specious. No bait concealed the hook. Life at Halifax and in forts had become intolerable. They must go somewhere. France had no colonies in the Temperate Zone to offer except the barren rocks of St. Pierre and Miquelon. Thither sailed the one hundred fifty Acadians who were around Canso. A large contingent of the Halifax company decided to try the West Indies. Six hundred or more managed to get vessels to convey them to Cape Francois, the capital of Hispaniola, attracted thither it is supposed by hearing that some groups of their fellow countrymen had gone there from Carolina and Georgia.

Wilmot's comment on this event, which of course was much to his liking, is not very much to his credit: "All these reasons induced the Council, at which Lord Colville, His Majesty's Rear Admiral assisted, to be unanimously of opinion that they should be at full liberty to depart. . . . Their settlement in the West Indies removes them far from us, and as that climate is mortal to the natives of northern countries, the French will not be likely to gain any considerable advantage from them."

With this event, the tragedy of the expulsion so far as devised and carried out by Governors of Nova Scotia may be said to have ended.

The next lieutenant-governor was Michael Francklin.

A census or "general return" of Nova Scotia taken under Francklin's direction in December, 1666, yields the following results, showing that the Acadian population had declined 947[1] since Wilmot's memorandum of 1664 was issued.

Annapolis	67	Windsor	110
C. Breton	271	Miramichi	140
Canso	197	Small places	41
Falmouth	42		
Halifax	200	Total	1,265
St. John's Island	197		

[1]Largely accounted for by the migrations from Halifax and Canso.

BANDS OF EXILES RETURN.

The prospects of settlement in Acadia opened up by the Treaty of Paris in 1763 naturally led to the return, contemplated or actual, of considerable bands of exiles. These, however, on approaching or entering Acadia, found to their sorrow that the obstacles in the way of their repossessing themselves of a portion of their ancestral soil still existed, and that, thanks to the unconscionably stupid policy of the Governors they were still under the ban of outlawry. The Acadian population, composed mostly of "prisoners" continued to decline. There was no inflow corresponding to the outflow which Wilmot in his incredible folly instead of checking did his best to augment. This population may be said to have reached its minimum at the date of the so-called "general return" of 1667—which was really issued in December, 1666. Michael Francklin, to whose good offices the Acadians were chiefly indebted for their re-settlement in Nova Scotia, was sworn into office as lieutenant-governor on August 23rd, and on March 30th, "it was ordered that the oaths of allegiance should be administered to the Acadians on the St. John River, who had expressed a desire to take them."

That the establishment of relations of mutual confidence between the authorities at Halifax and the representatives of the long prescribed race was largely due to Francklin is now a matter of universal acknowledgement. His suavity, his sense of justice, his freedom from narrow racial and religious prejudice, his conciliatory tact, are freely recognized by writers, who on the expulsion question and its connected issues take strong ground against the Acadians, while with much inconsistency, they pass by without censure, the harsh oppressive policy of his predecessors, which on his accession to office he proceeded at once to reverse.

Within a year from the date of the "general return" of 1767, the Acadian families which it reports as at Annapolis and Windsor, most of whom had tramped their weary way from Massachusetts, had received allotments at St. Mary's Bay, where they laid the foundations of the prosperous township of Clare, never to be forgotten as the home of the loyal and saintly Abbe Segoigne. Rameau draws a vivid and touching picture of the march of this "heroic caravan" from Massachusetts to Nova Scotia, especially of the last two or

three hundred miles of it when their route took them through most of what, eleven years before, were the chief centers of Acadian life.

Almost contemporaneously another band of exiles—located temporarily at Halifax—through the kindly intervention of Governor Francklin—resumed possession of their ancestral lands at Publico and Tusket, to perpetuate there the lineage of La Tour and the historical name of D'Entremont. So far as known this was the only case occurring in the peninsula in which a returning company came into possession of its ancient patrimony.[1]

When once the good news had spread about that the way was opened up, migration followed migration homeward. The exiled people sought return to the cradle of their race from far and near, in comparatively large companies, in smaller groups, in families, singly. Difficulties had to be faced, privations and sufferings borne, almost as numerous and trying as those met with on their outward way. Some, upborne by their ardent longing for home, came safely through; others dropped out and disappeared.

No better tribute can be paid to the industry and sound judgment of the original settlers of Acadia than the eagerness with which the lands they cleared, or reclaimed from the sea, were appropriated by the New England and Ulster immigrants of 1760-2, and by the shrewdest of the speculators and land-grabbers who, during the decade 1760-70, locked up so much of the best soil in Nova Scotia. Thus it happened that with one partial exception those of the exiles whose homes had been on the Bay of Fundy rivers, and who came back from their wanderings with the hope of resuming them, were invariably doomed to disappointment.[2] Necessarily the new settlements formed by the companies returning from exile were for the most part located north of the Isthmus of Chignecto. Four or five of the counties of New Brunswick are today almost wholly peopled by Acadians.

[1]"They passed in turn through Beaubassin, Cobequid, Pigiguit, Grand Pré; but Beausejour was now called Cumberland; Beaubassin, Amherst; Cobequid had taken the name of Truro; Pigiguit, that of Windsor, and Grand Pré was named Horton; everything was changed; English names, English villages, English inhabitants; wherever they appeared, they looked like ghosts come back from a past age; nobody had thought of them for a long time."

[2]The fine district on the Memramcook and Petitecodiac rivers formerly and still known as Memramcook was resettled by those of its former inhabitants who returned from exile. The land had meanwhile been granted to Colonel Des Barres, but the difficulty was adjusted, and the returned exiles retained possession.

THE NUMBER DEPORTED.

The number of Acadians actually deported has been variously estimated. If we look at localities rather than conjecture numbers, we find the facts to be about as follows: A small allowance being made for stray fugitives, the inhabitants of Mines, Canard, Pisiquid and (eventually) Annapolis, were seized, put on shipboard, and transported to the various colonies from Massachusetts to Georgia. The majority of the people of Cobequid, fleeing to the woods of the neighboring mountains, effected a hazardous escape to the French islands of Royale and St. Jean. From Chignecto a few hundreds were added to the total mass of the deported, but in that region the attempts at seizure generally miscarried through the facilities for escape afforded by the trackless forests in the background. The inhabitants of the smaller and remoter settlements of the peninsula were immediately proscribed, and soon most of them had left the country by flight or actual seizure and transportation. So late as 1759, one hundred and fifty Acadians of the Cape Sable district, who had lingered in the vicinity of their former homes in a state of outlawry, surrendered to the government, and were sent to England, some of them wandering thence to France, a few eventually returning to Nova Scotia.

To recur to the question of numerical estimates, Haliburton in his "Historical and Statistical Account of Nova Scotia (Vol. 1, page 182)," states that "seven thousand were collected and dispersed among the British Provinces." With this Abbe Casgrain substantially agrees. Sir Adams Archibald puts the number of exiles at 6,000. Hannay's estimate that "the total number removed from Acadia was somewhat less than 3,000 souls" is in keeping with his view of the reduced population of the peninsula at the time of the expulsion. Probably the largest estimate quoted is not far above the truth, if taken to include with the actually deported those who exiled themselves by flight.

As to the number or proportion of the exiles who ultimately returned to their native land only conjectures can be hazarded. Most writers content themselves with such indefinite estimates as "a few," "some," a "considerable number." Mr. Hannay seems alone in the opinion that "the great bulk of the Acadians finally succeeded in

returning to the land of their birth." In another reference to the question, he substitutes "at least two-thirds" for the larger and more indefinite "the great bulk." Possibly as many Acadians as the more moderate of these statements would involve, if the calculations were made on the basis of Mr. Hannay's own low estimate of the entire peninsular population, did succeed in effecting a return, though even this is doubtful, but as proportional estimates neither of them can be accepted.

At the date of the "general return" of 1767, just eleven years had passed since the expulsion, and at that date not a single Acadian exile had resumed the legal possession of land in Nova Scotia, nor, so far as we can learn, had a single one subscribed to the required oath of allegiance. In the list there does not appear the name of a solitary one of the places which are now the Acadian centers of the peninsula. Apart altogether from a consideration of the limited Acadian population disclosed by the return itself, these facts sufficiently indicate the slowness of the repatriating process. The story of the wanderings and hardships of the Acadian refugees during these eleven years has never been fully told. By English writers generally a page or two at most has been deemed sufficient. L'Abbe Casgrain's "Les Acadiens apres leur dispersion" deals more fully with the subject, and though not without imaginative elements is a valuable and interesting supplement to the meagre records of our professed historians. But from the most meagre of those records we can gather enough to lead us to doubt Mr. Hannay's estimate as to the proportion of the unfortunate exiles who found their way back to Acadia. When, after twelve years of weary wandering and waiting the time at length came in which such of them as survived and were in a position to claim the privilege, were allowed to settle peaceably, if not on the site of their ancestral homes, at least in some other part of their beloved Acadia, it may well be doubted if "the great bulk" of the original exiles were living, to say nothing of the large proportion of the survivors who had become permanently domiciled in other lands. The decimating effects of such a career, involving as it did shipwreck, pestilence, and famine, on a simple pastoral people like the proscribed Acadians, can scarcely be overestimated.

CHAPTER VI.

LIEUTENANT-GOVERNOR FRANCKLIN IN ENGLAND—THE YORKSHIRE SETTLEMENT—MAJ. FRANCIS LEGGE SUCCEEDS GOVERNOR CAMPBELL—BRIEF REVIEW OF HIS ADMINISTRATION—THE LONG PARLIAMENT.

In January, 1769, Lieutenant-Governor Francklin taking advantage of the Governor's presence in Halifax sailed for England ostensibly for the purpose of rebutting the charges of mal-administration preferred against him in the matter of the Island of St. John officials. He had been informed through a despatch from the Secretary of State that his actions "were highly disapproved by the King" and that he had been deemed guilty "of total and entire misapprehension of his orders." The expenses incurred in setting up an official staff in the island were very considerable and notice was served on Francklin that if any further drafts should come in on this account they would probably be protested. Protected by the armour of conscious innocence Francklin hastened across to meet his accusers. Lord William Campbell in acknowledging Lord Hillsborough's despatch had not put forth a very strong defense for his lieutenant. The only plea suggested was "mistaken zeal." The financial point at issue was not easily adjusted.

Francklin was absent from Nova Scotia from January, 1769 to June, 1772. This long absence was by no means pleasing to the Governor-in-Chief. Lord William was fond of frequent respites from active duty and was fertile in inventing excuses to justify them. If truth be told the Province did not suffer much from his frequent absence provided only that the Lieutenant-Governor was on hand to take the reins.

There is not available much information as to how Francklin employed himself during his prolonged absence from Nova Scotia. We do not even know to what extent he succeeded in clearing himself of the charges preferred against him in such vigorous terms by Lord Hillsborough. It is certain that he returned to Halifax in

excellent spirits and seemed to enjoy for several years and for a time at least in an increasing degree the confidence of the home authorities. From these facts it is reasonable to infer that his explanations were accepted. Probably the case really stood somewhat thus: The instructions sent to Francklin meant just what he supposed they did. The officials whom he appointed were all Nova Scotians. The new proprietors of the island were Englishmen and Scotchmen who wished to have directly, or indirectly the control of affairs in their own hands and insisted that the connection with Nova Scotia should be cut. Their influence with the ministry outweighed that of Francklin. The easiest way out of the difficulty was to say that a mistake had been made, cancel Francklin's appointments, and hand over the island to the proprietors.

The results accomplished by the Lieutenant-Governor while visiting England are generally given in a space quite disproportionate to the length of his stay there. "Mr. Francklin, the Lieutenant-Governor returned to Halifax on the 2nd of June, 1772. He brought with him the welcome intelligence of two hundred pounds granted by the King for the repair of St. Paul's church. He also brought authority to Governor Patterson of the Island of St. John to use the stone from the west side of the Island of Cape Breton." We are left to doubt whether the intelligence of the two hundred pounds was welcome because they were the gift of a king, or because the money was really needed by the parishoners of St. Paul's. As to the Cape Breton stone, it is gratifying to know that somebody was permitted to use something from an island whose resources and products it was the good pleasure of His Majesty's government to keep so rigorously "under lock and key."

From other sources we know that Francklin's visit bore some fruit for Nova Scotia, as well as for St. Paul's and the Island of Saint John. In 1774 (May 24th) Governor Legge (Lord William Campbell's successor) writes to the Lords of Trade that "two brigantines had arrived at Halifax from Hull, importing 280 persons from Yorkshire, and three more vessels from the same place were expected. The whole number to exceed 600 persons. They do not expect grants of land. Some come to purchase land—others perhaps to become tenants, and some to labor." Somewhat later than the date of Legge's letter there is found in Murdock's History, the following: "In May and June this year, nine passenger vessels

arrived at Halifax, of which, two were from Scarborough, two from London, one from Newcastle, one from Sunderland, and one from Aberdeen. Total of their passengers, 703. A list of 490 names is given. Their names are English." Murdock gives no information regarding these two bodies of immigrants—the one first referred to came in 1773—except that they did not want grants and that those composing the second and larger group all had English names. It is not clear whether or not he considered the two immigrations to have any connection with one another. As a matter of fact they were parts of a common immigration movement. Somehow the historian did not get on the track of an earlier arrival. In May, 1772, the good ship Duke of York, landed in Halifax 62 passengers, the first installment of what was collectively a large immigrant body. They were all from Yorkshire, England, and were bound for the Isthmus of Chignecto. At home the newcomers had been tenant farmers, trades people of various kinds, or laborers on the estates of large landed proprietors in Yorkshire, notably on the extensive holdings of the Duke of Rutland.

SETTLEMENT OF PICTOU.

It will come with the force of a shock to some readers of this narrative to learn that there was nothing distinctively Scotch in connection with the earliest settlement of that part of Nova Scotia known as the district of Pictou. In April, 1765, Governor Wilmot wrote to the Lords of Trade as follows: "By the late arrival of several persons from Pennsylvania, New Jersey, and some of the neighboring colonies, we have the prospect of having this Province soon peopled by the accession of many settlers from those parts." This was a gratifying prospect.

The following is a summary of the further contents of the letter:

1. The gentlemen who had visited Halifax from Pensylvania and New Jersey represented that immigrants from Germany had so overstocked the good lands in those colonies, that the English-speaking colonists had been obliged to move out and seek their livelihood in Carolina and Virginia.

2. These gentlemen and the associations whom they represented, had had their attention directed by Alexander McNutt (and others) to Nova Scotia as a source of supply of two articles of prime necessity,

fish and hemp. Their visit was for the purpose of ascertaining how well adapted the Province was for the carrying on of the fisheries and the cultivation of flax.

3. They were well-to-do people and proposed to provide themselves with the needed supply of laborers by importations from Germany, and thus divert to Nova Scotia the annual current of Germans that now flowed to America.

This very plausible presentation of facts and prospects was strengthened by other considerations. The laborers to be brought from Germany will be so busy with "fish and hemp" that—an assurance which must have been most gratifying to the Lords of Trade—"they will be sufficiently prevented from any attention to manufacturer." A second assurance must have equally commended itself. "These frugal laborers and industrious people will not only improve and enrich their property, but pertinaciously defend it."

With these representatives from Pennsylvania and New Jersey appeared at the Governor's chambers in Halifax, the ubiquitous Alexander McNutt. Just what he was doing there, and what were his relations to the company which these agents represented, are points that the record does not make very clear. Seemingly he was cooperating with the agents in securing grants of land, for "he produced many letters from the associations I have before mentioned, soliciting them in the most pressing manners to use his utmost endeavors to procure for them the tracts for which they apply and on such conditions as he had obtained at your lordship's board, the 27th. February, 1861, for all such settlers as he should introduce into the Province."

There is a good deal of obscurity in the record as to the grants which followed these representations. No less than fifteen firms or companies in New Jersey and Pennsylvania sought grants. Some wanted 100,000 acres, others 200,000 and so on, the total area applied for being 2,000,000 acres. Benjamin Franklin's name appears in the list of one of the companies. Eventually the Council agreed to reserve 200,000 acres for a company known as the Philadelphia Company, in the membership of which McNutt was included. The land so reserved lay "between Onslow, Truro, and the lands granted to Colonel Des Barres at Tatamagouche." When the grantees found that the limits mentioned did not measure up to 200,000 acres, they were given liberty to choose the aforesaid quantity between Tatamagouche and Pictou." McNutt meanwhile was looking out for himself.

In association with three or four of his Scotch-Irish compatriots, he obtained a grant of 100,000 acres known in Pictou history as the Irish grant. It adjoined the Philadelphia grant, but was much better located for settlement purposes, included all the southern and western shores of Pictou harbour, both banks of the East and Middle Rivers, and the west side of the West River, the block of land on which the town now stands. Its main advantage was that it comprised all the most eligible parts of the harbour, McNutt kept other people out of it, but it was of no advantage to himself. It was one of his earliest escheated grants.

The Philadelphia Company, though anxious to validate its grant by actual settlement within "the time limits," found sundry hinderances in the way. One Mr. Anthill had circulated very disparaging accounts of the quality of this company's land. The fact that the survey threw outside of the limits of their grant the harbor of Pictou, in the stagnation of trade consequent on the Stamp Act were also serious deterrants to settlement. The company asked for an extension of time, which was granted up to June 1, 1767.

In the spring of 1767, the company proceeded to place the settlers on their grants. The brig *Hope* was despatched for Pictou, with just six families to be planted on an immense area of 100,000 acres. The surnames of the heads of these families, so far as handed down, were Harris, Patterson, McCabe, Rogers, and Cumminger. The sixth surname is not recorded. Of these men—to whom must be accorded the honor of having been the first settlers of Pictou, Harris was a Scotch-Irishman, Patterson and Rogers Lowland Scotchmen, McCabe, an Irish Roman Catholic from Belfast married to a Presbyterian wife, the racial affiliations of Cumminger can only be conjectured. That they solved the problem of the first year in the wilds with as little unpleasantness as any group of settlers that ever landed on our shores is due to the careful forethought of the company in stocking the *Hope* with a two years' supply of provisions, and especially to the fact that the men themselves were familiar with the conditions of American life, knew how to avail themselves of the resources of stream and forest and likely enough had had some personal experience of "roughing it in the bush."

In the course of a few years a large part of the stock of the Philadelphia Company fell into the hands of a Scotch merchant, John

Pagan, of Greenock. Pagan had a ship called the *Hector* which had carried a body of emigrants from Scotland to Boston. Nothing could be more natural than that Pagan should suggest to his co-proprietors the propriety of seeking supplies of settlers for the Philadelphia grant from Scotland, and should place the *Hector* at their disposal for charter. An agent named Ross was engaged to sound the praises of Pictou through the Highland shires, and proclaim the tempting offers of a free passage and a free farm. The proposal met with a fairly general response, and a company not far short of two hundred souls was soon ready to sail with the arrival of the *Hector* on September 15, 1773, the true history of Pictou. Dr. Patterson, the historian of Pictou County, very properly remarks on the importance of the arrival of the *Hector* to our Maritime Provinces, and he might have included within the scope of his observations the entire Dominion of Canada.

"With her passengers may be said to have commenced the really effective settlement of Pictou. But this was not all: The *Hector* was the first emigrant vessel from Scotland to Pictou, or even these Lower Provinces. That stream of Scottish immigration which in after years flowed not only over the County of Pictou, but over much of the eastern part of the Province, Cape Breton, Prince Edward Island, portions of New Brunswick and even the Upper Provinces, began with this immigration, even in a large measure originated with it, for it was by the representation of those on board to their friends, that others followed, and so the stream deepened and widened in succeeding years. We venture to say that there is no one element in the population of these Lower Provinces, upon which their social, moral, and religious condition has depended more than upon its Scottish immigrants, and of these that those on board the *Hector* were the pioneers and vanguards." Their attention had been directed to Nova Scotia by her Lieutenant-Governor, Michael Francklin, then in England. At that time the agricultural industry in Britain was in a most depressed condition, both landlords and tenants rapidly disipating the money made during the Seven Years War with its high prices.

Francklin seems to have carefully looked into existing conditions, to see how they might be made to inure to the benefit of Nova Scotia, for the improvement of whose waste lands he was very anxious to secure agricultural laborers of the right stamp. Brought somehow into

close association with the Duke of Rutland and invited to pay him a visit at his country-seat, he was both surprised and pleased to find his Grace by no means indisposed to listen to a suggestion of the reduction of his tenantry by emigration to Nova Scotia. Francklin pressed the matter. An Englishman himself, he naturally enough thought that so far as nationality was concerned, no men more suited to his purpose than Englishmen could be found. The general scheme and even its details were carefully thought out. There was to be nothing of the nature of an eviction. Those only were to join in the movement who wated to do so, and who gave reasonable promise of achieving success in such a venture. There was neither compulsion nor undue solicitation. The usual promises of free passages, free grants, and special governmental aid in emergencies, were carefully withheld; indeed they were neither asked for nor expected. A more independent, self-reliant body of immigrants never landed on our shores than these same Yorkshiremen whom Francklin's representations—amply realised in fact—induced to try the Nova Scotia experiment.

A prominent feature of Francklin's plan was that the place of settlement of the Yorkshire colonists should be the Isthmus of Chignecto and the closely adjacent territory. With that whole range of country he was very familiar. In the way of official duty, and otherwise, he had frequently visited Fort Cumberland, the seat of government for the entire region. More than that, he himeslf was an extensive land owner in the neighborhood. While his summers were generally spent on his beautiful demesne at Windsor, Francklin Manor (now Barronsfield) his fine estate on the very edge of the isthmus, received at least an annual visit. For reasons not difficult to fix upon, even the central portion of the magnificent stretch of country between the Cobequid Hills and the Petitcodiac River had been very tardily developed under English rule. In the townships embraced in the isthmus proper an enormous number of grantees had failed to validate and perfect their allotments. Some did not appear on the scene at all; others came, and, after a longer or shorter struggle, returned to New England. Of the Ulster families who laid the original foundations of Amherst, most withdrew at an early date to Cobequid and Cornwallis. Only an infinitesimal part of the vast marsh district had been reclaimed. Considerable portions even of the original upland clearings of the Acadians had relapsed into wilderness.

This was the country, or rather the conditions of the country, to which Francklin, before leaving England—his return to Nova Scotia almost exactly synchronised with the arrival of the Duke of York at Halifax—had arranged to send his Yorkshire colonists. He did not leave the enterprise to the contingencies and so common in the history of colonial undertakings. Everthing was carefully prearranged. The settlers, as they arrived at Halifax, were to proceed without delay to Fort Cumberland, where receiving temporary hospitalities they would find instructed guides to point out the steps by which new homes were to be secured.

OTHER SETTLERS FIND HOMES.

The *Duke of York* reached Halifax on May 2, 1772. Charles Dixon, the principal passenger on board, and as long as he lived, the patriarch of the Yorkshire colony, thus wrote home concerning the voyage and his reception at Halifax, with resultant impressions: "We had a rough passage. None of us having been to sea before, much sea-sickness prevailed. At Halifax we were received with much joy by the gentlemen in general, but were much discouraged by others, and the account given us of Cumberland was enough to make the stoutest heart give way."[1]

Mr. Dixon's own heart, however, did not "give way." He retained faith in Francklin's assurances as to the potentialities of Chignecto, and followed his instructions to the letter. Leaving the *Duke of York* at her wharf, he and his party—his own family consisting of his wife and four children—seized the first opportunity to sail for Fort Cumberland in a coasting schooner. In a few days they were at their destination. On the 8th of June less than three weeks after his landing at Halifax, he had bought and paid for 2,500 acres of land in Sackville. Other members of his company got settled with almost equal expedition. Nor was it much otherwise with the groups which came

[1]Mr. Dixon died in 1817. Almost the last entry in his diary—men had time to write diaries in those days—is an expression of thanksgiving to Providence for directing his steps to the new world. Mr. Murdock's obituary notice partially tells the story of his honored and useful life: "Died at Sackville, N. B., 21st August, 1817. Charles Dixon, esquire, in the 79th year of his age. He came there from England in 1772—was representative for Sackville in the Assembly of Nova Scotia, and after the separation of New Brunswick, was county member for Westmorland in the (first) Assembly of the latte Province. He left (1817) 125 descendants in the SCounties of Cumberland and Westmoreland." The compiler of this history can recall one of the sons who accompanied Mr. Dixon to Nova Scotia in 1772.

the two following years. It is said—perhaps without absolute warrant —that not a family of the three bands of immigrants was without a home of its own for more than a year after its arrival at Fort Cumberland.

The territory within which these Yorkshire settlers thus found homes may be described roughly in terms of modern geography as extending from Maccan, Nova Scotia, to Dorchester, New Brunswick, in one direction, and from Cumberland Basin to the Straits of Northumberland in another. The separation of New Brunswick from the Nova Scotian peninsula in 1784, had the effect of dividing them into two, not very unequal groups, according to location, north or south of the Missiquash River, the northern or New Brunswick group being somewhat the larger. This history will tell how loyally and how influentially they supported the mother country in the approaching struggle with the revolting colonies.

There remains now to bring the parliamentary history of the Province up to date. The fourth General Assembly, elected in 1765, continued in existence until April, 1770. Poor Assembly! As far as it was concerned the issues of life and death" were entirely with the Council. "In Council, 2nd April. On taking into consideration the time of the continuance of the present General Assembly, which was begun in May 1765, and that the disposition of the majority of the members was much averse to any expedient measures for supplying the deficiencies of the provincial funds and the necessary support of government, it was resolved that the General Assembly be dissolved." Writs were ordered to issue for a new House, but no writ to "issue to the County of Breton, for want of freeholders."

The House elected under this order of Council met on the sixth of June (1770) but as the journals for that year are missing we have but little knowledge of the business which it transacted. We learn however, that one of the seventeen Acts which it passed proposed to raise one thousand pounds for roads and bridges by means of a lottery. The loss of the journals prevents us from recording a complete list of the members. This Assembly, which was not dissolved until 1784, and held seventeen sessions—though it did not meet in 1774—is known as the "Long Parliament" of Nova Scotia. Though Jonathan Eddy, the coming "rebel," was elected member for the township of Cumberland, Governor Campbell writes Lord Hillsborough, the

Secretary of State that he does "not discover in them (the members of the new House) any of that licentious principle with which the neighboring colonies are so highly infected." Whether the Council was as well satisfied with the spirit of the new Assembly, as was the Governor himself, is open to doubt. Evidently the result of the election ordered, had been looked forward to with considerable misgiving, for in at least some of the townships signs had appeared which to the Council, foreboded danger and trouble. Town meetings (the Town Meeting was a New England Institution transplanted without legal warrant to Nova Scotia) had ventured "to debate and resolve on several questions relating to the laws and government of the Province." This, of course, was very alarming, and the practice could not be allowed to go on, even though its suppression bore some likeness to an abridgement of the right of free speech. "The Governor and Council ordered the Attorney-General to notify all persons concerned that such meetings were contrary to law, and if persisted in, that he should prosecute them." Though the language in which the obnoxious "town meeting" proceedings are referred to is guarded, the reference undoubtedly is to undue expressions of sympathy with movements in progress in the older colonies. The prohibition applied not merely to meetings called for special purposes, but to the annual town meeting, a time-honored assembly at which town officials were chosen, the ordinary communal busines transacted, and as occasion required, questions of public interest ventilated and discussed. It is doubtful if the policies thus adopted by the Council, was really promotive of the interests sought to be protected. Nothing is more unwise than at critical moments to supply agitators with grievances. With not more than three exceptions at the most, the townships, or "towns" of Nova Scotia, at that time entitled to send members to the Assembly, were simply New England communities planted in Nova Scotia. With them came, or was supposed to have come, the right of the freeholders to manage their local affairs, and in the interest of such management to convene, at regular times, or specially, as their own judgment dictated or the town's interests required. Beyond this, the town was to a New Englander, not merely the local unit of the political system of a province, it was the foundation stone on which the whole structure rested. It was folly to expect a people at once to disposses themselves of so thoroughly ingrained an idea. Stripped of the power of local action,

the Nova Scotian townships—save so far as some of them had the right of representation in the Assembly—shrank into, and have ever since remained, mere shadows. Meanwhile the inhibition put on "Town Meetings" just suited the purposes of Jonathan Eddy of Cumberland and Samuel Rogers of Sackville.

MAJOR LEGGE AS GOVERNOR.

In June 1773 Lord William Campbell was appointed to the governorship of South Carolina and was succeeded in that of Nova Scotia by Major Francis Legge, a relative—probably a cousin of Lord Dartmouth, the Secretary of State. Legge's nominal term of office extended to 1781 but the Ministry was compelled to retire him in 1776, owing to his incompetence and unfairness as a civil administrator. During the five or six years following his retirement from active service he retained the title and the larger part of the emoluments of the office. One-fifth of the salary of one thousand pounds was paid to the Lieutenant-Governor who performed the duties.

A session of the Assembly was held not long after Legge's inauguration. After it was over the Governor communicated to his noble relative, the Secretary of State, the following rather singular impression: "From the best information I have the progress of this Province is much retarded by want of industry among the people *who came into the back parts of it from New England.*"

The somewhat heavy debt resting on the Province alarmed Legge. It suggested to him too, dishonesty on the part of the officials who had had the handling of the public money. The idea so fastened itself upon his mind that it became impossible to dislodge it. To Mr. Pownal, secretary of the Board of Trade, he presents two rather unpleasant cases. Mr. Nesbitt, the speaker and attorney-general as well as surrogate, judge of probate, was keeping back money which had come into his hands as administrator of an estate. The late Mr. Hinshelwood was registrar of the same Court of Probate and the Honourable A. Gould (member of the Governor's own council) his executor refused to pay the money over as ordered by the Governor in his capacity as councillor.

Legge made it the one great aim of his civil administration that the huge provincial debt of twenty thousand pounds was due to thievery on

the part of public servants. He appointed numberless commissioners of inquiry with large staffs of clerks and auditors. When any appearance of irregularity was revealed suits were promptly instituted in the courts. Two of the oldest and most honored members of his own Council, Jonathan Binney and Henry Newton, were cast in heavy damages in suits thus brought. Legge in a letter to Lord Dartmouth enables us to at least conjecture how the verdicts were obtained. "It was supposed that through their influence among the common people no just verdict could be obtained but a *special jury was summoned*, and after very long trials a verdict for the Crown was found by them." Lieutenant-Governor, Michael Francklin, assured the Secretary of State that the accounts of Binney and Newton were perfectly regular and complete in every respect. After Legge's retirement from office the Assembly to which body the councillors appealed for redress, reimbursed them the full amount which Legge's insane rapacity had extracted from them. Finally the notion seized the Governor that his entire Council was confederated to defraud the Province. He urged the dismissal of at least five of the principal members, including not only Binney and Newton but Richard Bulkley, the most universally trusted man in the Province, and who had filled the post of Provincial Secretary since the inauguration of Cornwallis's government.

The quarrel between Legge and his Council, or it might almost be said between Legge and every respectable man in Halifax, came to a head in 1776. At a meeting of the Council held on 22nd April, Legge himself being present and four of the councillors whom he had tried to have dismissed (Mr. Binney was in England) a letter from the Lords of Trade was read, informing the Council that two petitions to the King had been referred to them—one signed by five members of the Council, the other by several of the principal gentlemen and inhabitants—containing charges against Governor Legge and a paper presented them by Mr. Binney, containing particulars of these complaints. They sent Mr. Legge copies, and stated that the petitioners will be confined to these charges. He is advised to collect proofs and depositions (for his defence) and to report in England without loss of time." On the 12th of May, Governor Legge sailed for England. He is no more heard of except as nominally Governor of Nova Scotia for the five years to follow. Out of consideration for his relative, the Secretary of State, he was let off very easily. The following letter

written just as Legge was sailing for England tends to raise Michael Francklin still higher in our esteem. It was addressed to the secretary of the Board of Trade. "As I look upon Mr. Legge's situation as a very unhappy one, I shall only say that it is to be hoped, for the interest of the Crown, and for the credit of his noble relative, that he may not be permitted to preside over this colony, for his capacity, temper, and disposition render him unfit for a Governor and as I wish at all times to avoid placing an additional weight on any gentleman already greatly loaded, it was with a very great reluctance, and in obedience only to the Lords of Trade's commands that I complied yesterday with the summons of the complainants against Governor Legeg, to answer on oath, nine interrogatories, which I did as tender as I could do consistent with the truth." During the years of Legge's actual governorship, 1773-6, Francklin retained the position of Lieutenant-Governor, but was seldom, or never, called on to administer the government.

The Assembly journal for the years 1770-1775 being missing, the parliamentary history of the Legge period 1773-76 cannot be given in any detail. We have noticed that Lord William Campbell's impression of the "Long Parliament" at its first session was most favorable. He did "not discover in them any of that licentious principle with which the neighboring colonies are so highly infected." Lord William, however may not have been the keenest of observers.

When Legge took charge of affairs, he seldom opened or closed a session without reference to the provincial debt. "How so infant a colony could incur so great a debt, and what advantages were supposed would be the effect of it, I am not at present informed, though I shall endeavor to search out." At one session, the question of taxation was discussed, and a land tax bill passed by the Assembly—with acreage rather than value as the basic principle. The measure was very unfair to the owner of unimproved and wilderness land and altogether to the advantage of the freeholders in the older townships, who had got vacated French lands for nothing. At another session the circuits of the Supreme Court were first established. The Act provided that courts were to be held at Horton, Annapolis and Cumberland, two judges being necessarily present.

In 1775, when, in the older colonies the long smouldering discontent had burst into flame of open war, Legge was pleased to congratu-

late the members on their uniform good behavior, duty and allegiance to the King, while the Assembly in reply assured the Governor that "the inhabitants of the colony as well as from the most sacred sense of gratitude and affectionate obedience to our benign Sovereign will ever be induced to a strict allegiance to His Majesty and a due observance of those laws." As a specimen of wordy loyalty this last cannot well be outdone.

It is somewhat disappointing to find that the stratum of mutual esteem and confidence underlying these exuberant effusions was after all extremely thin. Shortly after the House met, Legge writes to the Earl of Dartmouth—that he had laid the audited accounts before the House, "but as the persons who form that Assembly are for the greater part public debtors, I imagine it will produce an exculpation of each other, and the public debt will remain nearly as it is, being now at the amount of more than twenty-six thousand pounds." "I cannot omit mentioning to your lordships the continual and repeated efforts of a turbulant party,[1] whom I mentioned in my former letters to interrupt that harmony which has subsisted between me and the general assembly, whereby the public business is greatly delayed and interrupted."

MURDOCK AS A HISTORIAN.

As a documentary historian, Beamish Murdock has had few superiors. To let the past tell its own story to the greatest extent possible was the aim that guided his labors. He felt the loss of the Assembly journals for the critical years 1770-1775 to be a serious one, and so was led to make careful search in all possible quarters for information bearing on the parliamentary proceedings of that eventful period. He found in a letter from Governor Legge to the Earl of Dartmouth, under date of June 27, 1775, an allusion to a document which might be expected to disclose the mind and temper of the Assembly at a time which might be defined as "the turning of the ways." "I am informed," the Governor writes to the Earl of Dartmouth, "members of the House of Assembly have secretly prepared an address to His Majesty, the contents of which has not been laid before me. On the best information it sets forth some projection for the alteration of government upon the American system of popularity, which, if

[1] Franklin?

attended to, may produce the same convulsions in this as in the other Provinces. I should otherwise wish they would not have concealed it from me." The address referred to by Legge was found in the 18th volume of the "Parliamentary History of England." It is an elaborate presentation to the King and both houses of Parliament of the view taken by the Assembly of existing complications and strikingly illustrates how cross-currents of both opinion and feeling were at that time sweeping over Nova Scotia. Bunker Hill was fought just ten days before the address passed the House. Murdock does not publish it *in extenso*, but gives a summary of its contents which will be found in the Appendix.

The following are his judicious reflections thereon:

"Some of the views expressed in this singular document appear very extraordinary now. Triennial Parliaments and vote by ballot read strangely among the professions of dependence on the British Parliament as then constituted. The hostility of lawyers and custom house officers, and to courts of vice-admiralty, has been found from time to time prevalent with some of our people. The wish to prevent natives of the Province from filling the chair of government, or sitting on the bench of the Supreme Court, indicates a very different feeling from that now entertained. It is true, however, that in New York, Massachusetts, and other provinces, the desire to obtain the offices of Governor, Chief Justice, etc., had long caused divisions and parties among the principal families. In viewing this document in our happy and tranquil condition, allowance must be made for the unhappy state of things just then subsisting on the continent. Discontent had changed into disaffection. Disaffection had culminated into open rebellion. Brethren had begun an internecine strife, and their blood was saturating the soil of New England. It is, therefore, not to be wondered at if we find the representatives of Nova Scotia filled with dismay and distress, and their views confused and darkened in the storm of a civil war so close to them. Aiming to reconcile loyalty and obedience with freedom and 'the just rights of mankind in civil society'—venerating the Crown and the imperial authority, and yet feeling for 'the British American race'—dreading the loss of union with Great Britain, and anxious for her favor and protection, they yet evidently hope some course of reconciliation may be adopted to stay the destroying angel, and harmonise the members of the one great

British family. Their expressions on this subject are truly noble and humane, and enable us to feel pride in our forefathers. If they could have seen in a vision the mode in which all the higher offices of our country are now filled, they would have entertained no apprehension unfavorable to the legitimate ambition of the natives of that land in which they were settlers and founders of communities."

PERSONEL OF THE LONG PARLIAMENT.

Though the House of Assembly elected in 1770 was not dissolved until 1785 without meeting at all in 1774, it had held seventeen sessions, changes in the personel of its membership were constantly in progress. Bye-elections kept the provost marshal busy. But few of the members who heard the Governor's speech in 1770 sat until the dissolution of 1785. With the list of the members in 1774, as published below, there may be compared one of two years later date, showing how the House was constituted in 1776. The latter shows two vacancies as having occurred in the county representation during the interim, and one seat filled, which was reported vacant in 1774. In the township representation four vacancies had occurred. In four other constituencies there had been changes in the membership.

In respect to nationality, it is interesting and in view of questions to arise in the future not unimportant, to notice the continued predominance of the New England element both in the Council and Assembly and in the official staff of the province. This was natural in the case of the Assembly, the New England townships and the counties into which they were grouped, constituting so large a part of the constituencies. It may be said, however, that these townships and counties did not make New England origin an absolute *sine qua non*. Winckworth Tonge, a British officer of Irish birth, represented Kings County; Isaac Deschamps, a multi-pluralist of Swiss extraction, sat for many years as member for Newport. Such allowances being duly made it still remains that through the "Long Parliament" period, the Assembly was overwhelmingly comprised of men who were native-born New Englanders. It is sometimes represented that the early history of Nova Scotia after the founding of Halifax largely resolves itself into a struggle between an Assembly mainly composed of men of New England birth and thoroughly imbued with New England

sentiment, and a Council of Englishmen firmly attached to old-world ideas and traditions. The facts of the case at no time sustained this view. In 1774 six, and probably seven, of the nine councillors were natives of New England. So of the ten reported in 1776, perhaps seven, were of the same origin. Throughout the period of the Long Parliament (1770-1785) the two stocks were not very unequally represented in the Council. So much for the Assembly and Council. While the provincial secretary and attorney-general were Englishmen, the treasurer and chief surveyor of public lands hailed from Boston. Jonathan Sewall, judge of the Court of Admiralty for Appeals, divided honors with Richard Bulkeley, judge of the Provincial Court of Vice-Admiralty. In His Majesty's Supreme Court Deschamps, second assistant judge, was an Englishman but from New England.

England carries off the honors, with the Chief Justice and first assistant judge. Having the list of the provincial officiary before us, we cannot fail to notice the extent to which the principle of plurality of office was carried in those days. Belcher was member of the Council and Chief Justice. Bulkeley was member of the Council and judge of the Provincial Court of Vice-Admiralty. Nesbit was Attorney General and speaker of the House of Assembly Charles Morris, Sr. was chief surveyor of lands, and first assistant judge of His Majesty's Supreme Court for the Province. Charles Morris, Jr., was member for the County of Sunbury and registrar of the Provincial Court of Vice-Admirality, and afterwards *though not a lawyer by profession,* succeeded his father as first assistant on the Supreme Bench. Isaac Deschamps, who lived at Windsor, was M. P. P. for Newport, clerk of the Assembly, and naval officer for the County of Kings. Col. Winckworth Tonge represented Kings County in the Assembly, and was chief naval officer of the Province.

It may be noted that the name of Jonathan Eddy which appears in the list of 1774 in connection with the representation of the town of Cumberland is replaced in the 1776 list by that of John Allen. Eddy as is well known gave his name to an outbreak or "rebellion" in 1776. In 1775 he withdrew to New England to make preparations for the attack on Fort Cumberland which constituted the central feature of his rebellion. Probably on his withdrawal, the seat was declared vacant. John Allen, his successor was, as will be seen, a bird of his own feather. So was Samuel Rogers of Sackville, who between 1774

and 1776, somehow was elected to the seat assigned in the list of 1774 to A. Foster.

Province of Nova Scotia:

Governor—His Excellency Francis Legge.
Lieutenant-Governor—The Hon. Michael Francklin.

His Majesty's Council:

Hon. Jonathan Belcher	Henry Newton Jonathan Binney
Charles Morris	Joseph Gorham
Richard Bulkley	Arthur Goold, and
Joseph Gerrish	John Butler, Esquires.

Members of the House of Assembly:

County of Halifax—William Nesbitt and William Howard South, Robert Campbell and John Phillips, Esquires.

County of Annapolis—Phineas Lovett and Joseph Patten, Esquires.

County of Lunenburg—J. Creighton and Otho Wm. Schwartz, Esquires.

King's County—H. D. Denson and Winck Tonge, Esquires.

County of Cumberland—John Huston and Jotham Gay, Esquires.

Queen's County—William Smith and Simon Perkins, Esquires.

County of Sunbury—Charles Morris, Jr., Esquire.

Town of Halifax—Charles Proctor and Thomas Bridge, Esquires.

Town of Onslow—Joshua Lamb, Esquire.

Town of Truro—William Fisher, Esquire.

Town of Londonderry—J. Morrison, Esquire.

Town of Annapolis—O. Wheelock, Esquire.

Town of Grenville—C. Prince, Esquire.

Town of Lunenburg—Philip Knaut, Esquire.

Town of Horton—Charles Dickson, Esquire.

Town of Cornwallis—Samuel Willoughby, Esquire.

Town of Falmouth—Edward York, Esquire.

Town of Newport—Isaac Deschamps, Esquire.

Town of Cumberland—Jonathan Eddy, Esquire.

Town of Sackville—A. Foster, Esquire.

Town of Liverpool—Seth Harding, Esquire.

Town of Yarmouth—
Town of Barrington—John Fillis, Esquire.
Secretary of Province—Hon. Richard Bulkeley, Esquire.
Attorney General—William Nesbitt, Esquire.
Treasurer—Benjamin Green, Esquire.
Register—Arthur Goold, Esquire.
Chief Surveyor of Lands—Charles Morris, Esquire.
Provost Marshal—John Fenton, Esquire.
Chief Receiver of His Majesty's Quit Rent—Joseph Woodmass, Esquire.
Deputy Auditor—John Breynron, Esquire.

NAVAL OFFICERS.

Halifax—Winckworth Tonge, Esquire.
Kings County—Isaac Deschamps, Esquire.
County of Cumberland—Joshua Winslow, Esquire.
Annapolis—Thomas Walker, Esquire.
Queen's County—
Lunenburg—D. C. Jessem, Esquire.
Louisburg—George Cottnam, Esquire.
Judge of the Court of the Admiralty for Appeals—Jonathan Sewall, Esquire.

PROVINCIAL COURT OF VICE ADMIRALTY.

Hon Richard Bulkeley, Esquire, Judge.
Charles Morris, Jr., Esquire, Register.
William Smith, Esquire, Marshal.

HIS MAJESTY'S SUPREME COURT FOR THE PROVINCE.

Hon. Jonathan Belcher, Esquire, Chief Justice.
Hon. Charles Morris, Esquire, 1st assistant judge.
Hon. Isaac Deschamps, 2nd assistant judge.

CHAPTER VII.

NOVA SCOTIA AND THE AMERICAN REVOLUTION—ATTITUDE OF THE TOWNSHIPS—NOVA SCOTIA AND THE WAR—GEORGE WASHINGTON'S LETTER—RAIDS FROM MACHIAS—PREPARATIONS FOR DEFENSE—PROSPECTS SOMEWHAT GLOOMY—GOVERNOR LEGGE'S COUNCIL OF WAR—LIEUTENANT-GOVERNOR ARBUTHNOT SUCCEEDED BY SIR RICHARD HUGHES—CAPTURE OF MAJIBIGWADUCE—NOVA SCOTIA'S NAVY AND THE SURRENDER OF CORNWALLIS AT YORKTOWN.

There is no reason why a history of Nova Scotia should include an elaborate restatement and discussion of the grounds on which the great majority of the British American colonies justified their taking up arms against the mother country. Still more foreign to the design of such a work would be an attempt to describe the general operations of the so-called War of Independence.

As Nova Scotia came within the scope of the same commercial and colonial policy as the other colonies, it is worth noting that it was this policy, and not any acts of administrative injustice and cruelty that excited friction and ultimately led to war. Samuel Adams and the tea-tax were simply John Hampden and the ship-money over again. While every intelligent American laughs at not a few of the "grievances" recited in the Declaration of Independence and charged against "the King of Great Britain," no candid Englishman will deny, that by both impositions and restrictions, the colonies were subjected to much harsh treatment; much less contend absolutely that "taxation (without representation) is no tyranny" whatever may have been written in support of the dictum by Samuel Johnson and John Wesley. Just when, however, the abuse of authority in the regulation of trade or the imposition of financial burdens, is a sufficient warrant for armed revolt, is, if not an academic inquiry, at least a question which cannot in the abstract be

reasoned out to a positive conclusion. The almost interminable disputes over "legal rights" show that that was a point which the continental Congress itself was unable to settle. As a matter of history, neither Nova Scotia as a whole, nor any significant part of it, was drawn into active co-operation with the revolutionists in the southern colonies, though it cannot be denied that the revolting movement was viewed, especially in its earlier stages, with some degree of sympathy in certain of the townships, and to a very slight extent, in Halifax itself. The traditional view that our Province passed through the ordeal of a great revolution, which, though not entering her own borders, touched her closely and powerfully affected her interests, with her loyalty absolutely unscathed, has been replaced by another equally unhistorical—that an almost universal spirit of sedition and revolt was held in check by the restraints of force. Of these misrepresentations, the latter is the less justified by the facts of history. It would have been strange, indeed—in fact, anomalous, if out of regard for their kinsman left behind in the older colonies, the settlers of Nova Scotia had with practically unanimity espoused one side of a cause on which those kinsmen were themselves divided. That such a division existed, and was so far as the educated classes were concerned even in such a stronghold of anti-British sentiment as Massachusetts, a not very unequal one is now admitted in standard American histories. At the date of the first Continental Congress (1774), more than one respectable writer is in doubt whether those working for the separation from England constituted an actual majority even in the colonies taking the most active part in the movement. New York had contributed few, if any, settlers to Nova Scotia, but it is worth observing that the Assembly of that important Province had refused to be bound by the action of the first Continental Congress and had declined to elect delegates to the next one, while the time had but recently passed when Benjamin Franklin had pronounced the project of separation a "visionary dream."

No visionary dream, however, it turned out to be, but a stupendous reality. When the movement passed into a threatening stage, Nova Scotia as affected by it was found laboring under two serious disadvantages. The first already hinted at in advance, was the presence in the Province of an element of population of uncertain proportions, in sympathy with the "Rebel" or "Patriot" cause in the

older colonies. The other was the sad confusion into which the provincial affairs had been thrown by the disintegrating and utterly fatuous civil policy of Governor Legge. Happily neither handicap proved fatal. The great body of the people remained true to their allegiance to the British Crown. George Washington frowned on all attempts to seduce them from it. Legge played the part of a fool in administering civil affairs and got himself cashiered for his folly, but surpassed all expectations in meeting the emergencies of war. He was bold, resolute, and by no means lacking in judgment. Historians generally endorse Murdock's characterization: "Whatever errors Mr. Legge may have committed from prejudice or passion or from an inordinate love of ruling and dictating we cannot deny his earnestness, sincerity and activity on the preservation and defense of the British authority in this Province. On the contrary, he deserves the praise of being indefatigable in carrying out the principles and wishes of the imperial government in an open and manly way." This estimate can be accepted, it should be borne in mind, only when its terms are limited in their application to Legge's conduct as a military commander. In his management of general affairs, the "open and manly way" of doing things was not much in evidence.

ATTITUDE OF NOVA SCOTIA.

On the outbreak of hostilities between Great Britain and her American colonies, the large part of the population of Nova Scotia which was of New England birth and origin was placed in a confessedly delicate position. From their upbringing in Massachusetts or Connecticut towns, the New Englanders in Nova Scotia would naturally incline to favor the freer forms of government for which they understood that their kinspeople across the line were contending, even though they themselves did not specially feel the pressure of the grievances of which their relatives complained.

When the revolt had developed from its incipient stages into a fully formed system of democratic government—royal governors and royal writs becoming things of the past—it was not unnatural that at least some of them should wish to see their new Province align itself in harmony with their native one. "Blood is thicker than water."

On the other hand, Nova Scotia, their home and jural domicil,

was an attachment of the Crown of Britain. The New England people who came to settle within her borders had on the easiest terms acquired proprietorship of her most valuable lands and of some of the best sites along her shores for the prosecution of the fisheries, of ship building, and of maritime trade generally. They contributed to the Assembly the bulk of its membership, at least a moiety to that of the Governor's Council, and still larger proportion to the judicature of the Province. The trade of Halifax was largely in their hands. Under such conditions to think of turning rebels would savor of ingratitude as well as disloyalty.

There were thus quite naturally opposing considerations making their appeal to the minds and hearts of the New England settlers in Nova Scotia during this time of stress. We can only interpret inner sympathies by outward signs. A full and accurate record is necessary to assure us of the value of the signs themselves.

There are undoubtedly to be found on the pages of fairly authentic history, indications of considerable sympathy with the cause of the American Revolution on the part of New England residents, in Nova Scotia. Opinions as to the depth and extent of the sympathy, and as to the likelihood of its having expressed itself more fully in concrete act had circumstances been more favorable, widely differ. As will be seen, there was a direct conflict on these points between Governor Legge and Lieutenant-Governor Francklin although their view do not cover the whole extent of the war. Legge was profoundly suspicious of New England loyalty from first to last, and adhered to his distrust, even when reporting circumstances naturally calculated to reduce or remove it. Thus he writes to the Earl of Dartmouth:

"Our inhabitants of Passamaquoddy and Saint John's River are wholly from New England, as are the greatest part of the inhabitants of Annapolis, Horton, Falmouth and Newport, some of which are not forty miles from this town; that by reason of their connection with the will of the people of New England, little or no dependence can be placed on the militia there, to make any resistance against them; that many in this town are disaffected on whom likewise I can have no great dependency." At another time he writes that "the same spirit (of resistance to his 'Militia Law') subsists in all the out settlements and it will require the most diligent attention to prevail

upon them, and prevent their joining with the enemy, in case of invasion." At the first of the letters from which the above extracts are taken, but before the second, was written, Lieutenant-Governor Francklin wrote as follows to Lord Dartmouth: "It is with the utmost reluctance I am now obliged to inform your lordship that there is great reason to believe, and it is confidently asserted, the Governor has made representations to the officers of government, and that few or none of the inhabitants of this Province in general but what are disaffected, and are inclinable to give countenance and assistance to the rebels now in arms against the Crown. If it be true that Governor Legge has made such representations, I do avow and assert that such representations are totally untrue, and without foundation which can be made appear in a thousand instances." Here is something like a flat contradiction.

Murdock surveys the general situation thus, though it must be admitted that his view was taken before the outbreak in Cumberland ("Eddy Rebellion"). "Thus"—rumors of an invasion were rife—"the disaffected of whom we cannot conceal that there were some, became disposed to abandon their passive discontent, and in the first favorable moment to assume active enmity to the government. The number, however, were not very great and they were chiefly confined to one or two localities. In Halifax, the exceptions being very few, and from those, it is believed, went no further than to desire that the old colonies should be successful in defending the privileges of self-government, the denial of which had given rise to the insurrection, without aiming to extend the area of the conflict to this Province, or disturbing its existing connection with England. That such sentiments were to be found in some of the men in this colony, who were born and reared in New England, is not to be wondered at; but it may be safely averred that not one of the Council or of the chief public officers partook of even this modified disaffection or gave the slightest ground of a just suspicion of disloyalty, but has, on all occasions, acted up to the loyalty and obedience they openly professed. In the western counties, the families from New England who had settled on the vacated French lands, were attached to the Crown and free from the spirit of innovation."

Compare with this description of New England settlement in Nova Scotia, the following extract from *Poole's Annals of Yarmouth and*

Barrington. "No student of the history of Nova Scotia at this time can carefully and without prejudice examine the records relating to the subject and fail to arrive at the conclusion that the fate of the whole Province hung upon a very slender thread and that its future was decidedly quite as much by chance as by anything else. It is very evident that a large portion of the inhabitants were greatly disaffected and were in strong sympathy with the revolted colonies, whence a greater part of them had but a few years previously removed." The opinions expressed in this extract, though apparently general in their application, are based on documents having reference to condition in the southwestern townships of Yarmouth and Barrington alone. A further expression of opinion by Poole in the course of the work very much modifies the impression which the passage quoted is calculated to produce:

"With the commencement of hostilities the people of Yarmouth and Barrington were placed in an extremely delicate position. There is no evidence that the government at Halifax took any measures to effectually protect them from the ravages of the almost *piratical American* privateers, some of whom made little distinction between friends and foes. In their exposed and defenceless position, any show of hostility to the American cause, would have brought down on their heads the most direful consequences. While there can be no question but that a large portion of our people (Mr. Poole was a native of Yarmouth) were moved by feelings of sympathy and good will towards their American kinsmen, it cannot be claimed that they were openly disloyal or disaffected with the Crown. They wished to be let alone, and it is not difficult to understand the motives which prompted the inhabitants of Yarmouth to petition the Governor and Council for liberty either to return with their families to New England, to remove them to Halifax for protection (from New England privateers) or to be permitted to remain neutral (as were the inhabitants of the Bermudas, Bahamas, and New Providence, although subject to Great Britain). The refusal of the Governor and Council to entertain any of these propositions must have caused great disappointment."

It may be explained that the extracts from the Massachusetts Archives, and published in the form of "Annals," refer chiefly, to attempts on the part of fishermen and others to trade clandestinely with Boston, with which place open commercial intercourse was of

course banned by both governments. The passes obtained from Boston were afterwards used not to open a way to that city, but "as a means of protection against American privateers while engaged in fishing or coasting in their own small shallops or schooners. In a great many instances our fishermen were able to save their vessels from capture and confiscation by this shrewd Yankee (?) trick, though it did not always succeed." Such Nova Scotia vessels as did actually go to Boston often gave American prisoners escaped from Halifax an opportunity to make their way home, but often these rascals finding in Boston privateers short of crews, would ship without delay to prey on the business of those who had befriended them.

GOVERNOR LEGGE'S MILITIA LAW.

The "Militia Law" of Governor Legge was not a fair test of loyal feeling in the townships. As proclaimed this required every able-bodied inhabitant to report not only for home duty, but also foreign service in the field. How was it received? Nowhere with enthusiasm, generally with cold indifference, in some places with loud remonstrance. Legge's intense unpopularity had penetrated to the remotest townships, and nothing bearing the stamp of his name was likely to prove acceptable. Cumberland protested most energetically. "Those of us who belong to New England being invited into this Province by Governor Lawrence's proclamation, it must be the greatest piece of cruelty and imposition for them to be subjected to march into different parts, in arms and against their friends and relatives. The Acadians among us being also under the same situation, most, if not all, having friends distributed in different parts of America, and that done by order of His Majesty." Besides, if embodied, who would support their families? Signed in Cumberland by 64 persons, Amherst 58, Acadians 51, Sackville 73. The people of Onslow, emphasized the hardship of the law, and foresaw "ruin to their families." The Onslow memorial was signed by Joshua Lamb, and fifty-five other inhabitants. His connection with this memorial cost Mr. Lamb his seat in the Assembly. Truro called attention to yet another ground of objection, "the dangers of drawing of men from their settlements, which are exposed to attack." The petition was signed by Samuel Archibald and 63 others. The proposal to arm the militia met with universal disfavor. Legge

writes to the Earl of Dartmouth that a "law was passed to arm one-fifth of the militia and that he had endeavored to arm them, but had just been informed from Annapolis and Kings Counties that the people in general refuse to be embodies." Michael Francklin, who entirely disapproved of the militia act as inopportune, unfair, and provocative, came to the rescue. Hearing from the commander at Halifax, General Massey, that additional forces were needed, he proposed to Legge "to enroll a battalion of volunteer militia, to be ready to act under my command, separate or on conjunction with H. M. troops, in case of need. The Governor approved, and sent me a commission, and between the 21st and 30th of March 384 able-bodied men were actually enrolled in the townships of Windsor, Falmouth, Horton, Cornwallis and Newport." He believes that they now amount to 550, being more than 9-10 of all the able-bodied men in those townships. He anticipates similar success in Cobequid and Cumberland, "although some few people in the latter have exhibited disaffection." Legge had now taken farewell of Nova Scotia, and Commodore Mariot Arbuthnot, who shortly before superseded Francklin as Lieutenant-Governor, was administering the government. Francklin pledged his hearty support to Arbuthnot and with the title of colonel, undertook the duty of organizing the militia on the basis of voluntary enlistment. He asked as a special favor that he should be permitted to reside in the County (not township) of Cumberland: "My influence in the County of Cumberland is very considerable, from the number of my own tenants, and a still greater number of inhabitants from the North of England, who were introduced into the colony through my means, and a great part of the other settlers are under obligations to me for the very lands they occupy, and my having been a prisoner in the hands of the Indians, in my youth and speaking French, have always given me a very considerable influence among the savages, and it is to be lamented that they have been too much neglected, even since Mr. Legge's administration (began) to the great concern of the King's servants here, and the frequent uneasiness of the people."

Lieutenant-Governor Arbuthnot, who was commissioner of the dockyard, as well as Governor—Legge drew the full Governor's salary till retired in 1781—inherited his predecessor's impressions as to

the disloyalty of the New England and Ulster township. These impressions weakened considerably as he made official tours through the Province.

VOLUNTEER MILITIA.

The new Governor embraced an early opportunity to visit some of the townships. He writes to Lord George Germaine on August 15, 1716. "I have taken an opportunity to visit the greatest part of the townships of this Province, viz. Windsor, Horton, Cornwallis, and reviewed the volunteer militia in each, under the command of Colonel Francklin. They have bound themselves by oath to defend the Province against all invaders, to the amount of 450 men in the whole. Your lordship will conclude I embrace these opportunities of being acquainted with the magistrate and better most people by dining together. When I asked the officers it seemed to have a good effect, and they unanimously expressed much loyalty, zeal and satisfaction. After which I proceeded up Cobequid Bay, and landed at Londonderry, Onslow[1] and Truro, three townships inhabited by the offspring of those Irish immigrants who first settled Londonderry in Massachusetts (New Hampshire), Scotchmen and Irish people, who have been brought hither soon after the place began to be settled, a strong, robust, industrious people—bigoted dissenters, and of course great levellers. But my lord, how can it be otherwise, for to my astonishment, no Governor had ever visited these poor people or sent any person among them, so as to form a judgment of the necessary steps to make those men useful subjects but on the contrary, they have been left to be the parent of their own works. I found fully 500 men capable of bearing arms, the finest men in the Province, settled on the best land, and the most flourishing, because they are the most industrious."

Though somewhat out of chronological order it may be mentioned that these fine people were quite content to be "the parent of their own works," were somewhat obstinate, and particularly objected to dictation even from the Governor and Council. In the spring following Governor Arbuthnot's visit, in view of the rebellion at Fort Cumberland about to be referred to, it was decided to administer the oath

[1]Onslow was settled by New Englanders but even at that early date, an Ulster element from Londonerry and Truro had begun to creep in.

of allegiance generally through the townships. The Governor was not a little surprised to learn that there were only five persons in the three Cobequid townships who consented to be sworn. Somewhat puzzled as to the class of offenders in which these Cobequid nonjurors should be placed for prosecution, the Attorney-General decided to treat them as "Popish recusants." The original settlers of Truro, some of whom were living had laid it as a positive injunction on Alexander McNutt that he should "send them a minister from the presbytery of Limavady." The trial never came off. Somebody saw the humor of the situation. The sitting member for Truro, however, was deprived of his seat because he represented a self-disfranchised community. This was in 1777.

THE EDDY REBELLION.

In 1776 occurred the so-called "Eddy Rebellion" in Cumberland. In the Appendix will be found an excellent account of the affair, which deserves notice as the only case in which the spirit of disaffection led to the actual taking up of arms and the shedding of blood. As pointed out in the article published, the chief actors—three in number—neither then were, or recently had been, members of the Nova Scotia Assembly. In 1776—the year of the so-called Rebellion—John Allen was member for the very township where the encounter took place, and Samuel Rogers for the adjacent township of Sackville. Jonathan Eddy was Allen's immediate predecessor in the representation of Cumberland. With a fourth associate—probably the Continental Congress at Maugerville to urge an attack on Nova Scotia. It is remarkable, but nevertheless a fact, that Samuel Rogers' successor in the seat for Sackville, Robert Foster, was also a traitor. We find him in 1777 memorialising the Board of War "to consider the case of Cumberland and Sunbury Counties in Nova Scotia," and receiving in reply the following address to the Council of Massachusetts Bay: "Resolved, That the Council of Massachusetts Bay be requested to consider the case of the inhabitants of Cumberland and Sunbury Counties in Nova Scotia, who are sufferers by their attachment to the American cause; and to devise and put in execution at continental expense, such measures as the said Council shall think practicable and prudent, for the relief of the said sufferers; and to enable such of

them as may be desirous of removing to a place of greater safety, to bring off their families and effects. And the said Council is hereby authorized to raise a number of men if necessary, for that service, not exceeding five hundred, in such places as will least interfere with the raising their quota of troops for the Continental Army."

As one of the indirect results of the outbreak in Cumberland there may be mentioned, in addition to the direct details given elsewhere, the connection of Richard John Uniacke with the public life of Nova Scotia. Moses Deslesderniers was a trader and extensive land owner in Sackville. Uniacke, a well educated young Irishman of twenty-one whom he had accidentally picked up in Philadelphia, was living in his family as son-in-law, and employed in his store as clerk. Both were suspected—probably without much grounds—of "disaffection." With three other "traitors" the young Irishman was arrested and sent to Halifax for trial. Two of his fellow prisoners were tried, convicted, and pardoned. One escaped from jail; nothing particular seems to have happened to Uniacke. His movements while in Halifax are shrouded in mystery. All that is known is that no formal legal proceedings were taken against him, and that within a few months he sailed for Ireland. At home, he completed the course of legal study which he had begun learning in his American tour of adventure. In April, 1781, he was back in Nova Scotia again, and was at once admitted to the bar of the Province as barrister and attorney. In December of the same year he was appointed Solicitor-General, and so, either as Solicitor-General or Attorney-General, he was a legal adviser of the Crown from December 3, 1781, to the day of his death, October 11, 1830. Two years later (1783) he was elected to the House of Assembly as member for the township of Sackville. This seat he occupied for but two sessions, the last two of the "Long Parliament," with the dissolution of which Sackville ceased to be a part of Nova Scotia.

The writer[1] of one of the best biographical sketches to be found in the Collections of the Nova Scotia Historical Society, referring to this earlier part of Uniacke's parliamentary career, says "that he was apparently the leading man in the House, and an ardent supporter of its constitutional rights." Though his name will frequently recur in this narrative, the relative frequency of its mention will be no measure

[1] Senator L. G. Power.

of the extent and continuity of his influence in public affairs, as the secret council, rather than the popular assembly, was the centre from which his long unchallenged dominancy was extended.

NOVA SCOTIA DURING THE REVOLUTIONARY WAR.

From a purely military point of view the history of Nova Scotia during the period of the Revolutionary War is not particularly spirit-stirring. For the most part, there were "rumors of war" rather than actual war, and when there was war, it was war on the smallest scale and of a provokingly uninteresting type. If the voice of the great and good George Washington had been listened to there might have been, so far as Nova Scotia was concerned, no war at all.

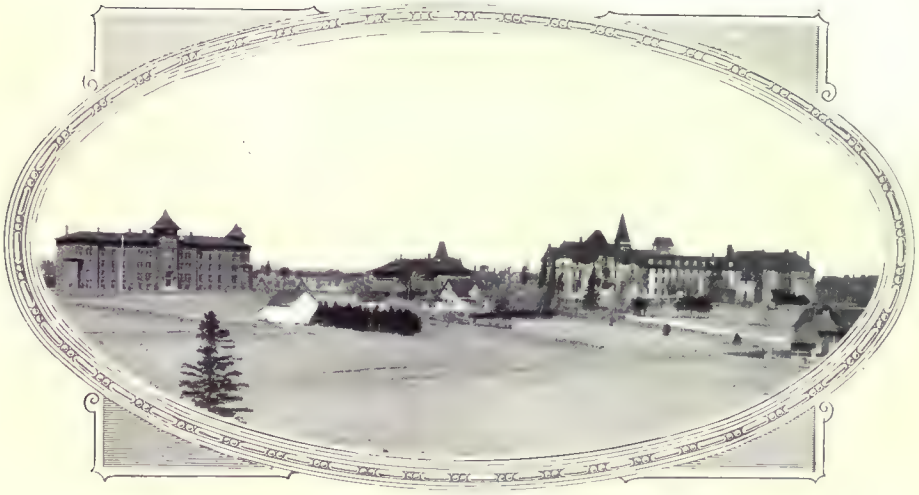
Almost coeval with the breaking out of the war, the port of Machias in Maine began to establish a reputation for itself as the rendezvous of all sorts of adventurers, naval, military, and non-descript, burning of course with patriotic ardor to serve their country, but more anxious still to line their own pockets with spoils of the enemy, especially of helpless ones like Nova Scotia. One of these worthies, a Colonel Thompson, conceived a scheme that seemed likely to accomplish both purposes, and that on a scale quite above the ordinary, one worthy indeed to receive, if not to require, the sanction of the commander-in-chief, who was at Cambridge seeing to it that the beleagured British forces did not get out of Boston by land. The Colonel's "Proposal for destroying Nova Scotia" was thus outlined: "For the expedition proposed, one thousand men, including officers, four armed vessels and eight transports; the men to be raised at the eastward. The fleet to be made up at Machias, and then to proceed to Windsor to captivate the Tories, make all the proselytes we can; and then proceed to Halifax. If possible destroy the King's dockyard and town, if thought proper.

"It may be undertaken for five thousand pounds, lawful money and all that can be procured from the Tories, or ten thousand and one-half of what is taken from them at Windsor. We understand there is abundance of goods, which is the next capital town to Halifax. We are lately informed there is not to exceed two hundred British troops in Halifax."



Centennial Hall. Engineering and Science Hall.

MT. ALLISON UNIVERSITY.



GENERAL VIEW OF MT. ALLISON UNIVERSITY.

General Washington's reply to this "Proposed Invasion of Nova Scotia" is as follows:

"Camp at Cambridge,
"Aug. 11th. 1775.

"Gentlemen:

"I have considered the papers you left with me yesterday. As to the expedition proposed against Nova Scotia by the inhabitants of Machias, I cannot but applaud their spirit and zeal, but after considering the reason offered for it, several objections occur which seem to me unanswerable. I apprehend such an enterprise to be inconsistent with the general principle upon which the colonies have proceeded. That Province has not acceded, it is true, to the measure of Congress, but it has not commenced hostilities against them, nor are any to be apprehended. To attack it, therefore, is a measure of conquest rather than of defense, and may be accompanied with very dangerous consequences. It might perhaps be easy, with the force proposed to make an invasion into the Province, and overawe those of the inhabitants who are inimical to our cause and for a short time prevent them from supplying the enemy with provisions; but to produce any lasting effects the same force must continue.

"As to the furnishing vessels of force, you, gentlemen will anticipate me in pointing out our weakness and the enemy's strength at sea. There would be great danger that with the best preparation we could make, they would fall an easy prey, either to the men of war on that station or to some which would be detached from Boston. I have been thus particular to satisfy any gentleman of the Court who should incline to adopt the measure. I could offer many other suggestions against it, some of which I doubt not, all suggest themselves to the honorable Board, but is it necessary to enumerate them, when our situation, as to ammunition, absolutely forbids us sending a single ounce of it out of the camp at present?

"I am, gentlemen, &c.,
"GEORGE WASHINGTON."

This is an eminently sensible letter, General Washington had in view a regularly organized expedition, which it was out of the power of the Continental forces to supply. Moreover he doubts the expediency, and indeed, the justice, of attacking a Province occupying the

situation which Nova Scotia did. We hear no more of this particular scheme of Colonel Thompson.

The "Provincial Congress of Massachusetts" now stepped in and gave to the miscellaneous crowd rendesvoused at Machias what amounted to a general letter of marque to prey on the shores and waters of Nova Scotia. Most vexatious and destructive consequences followed. That under very trying circumstances the Nova Scotia authorities put forth earnest and unremitting, and in a large sense successful efforts, to provide for the defence of the Province, can be fairly claimed. No expedition that gave the slightest prospect of acquiring possessory rights ever sailed into our harbor or landed on our shores. On the one or two occasions in which really formidable preparations for invading Nova Scotia caused alarm, the timely interposition of a British fleet averted the threatening danger. Halifax soon became immune, and with Halifax secure, raids on the outlying districts however annoying, were ineffective on the general issue.

No really effective defence, however, was possible against the style of attack carried on by the men who rendevoused at Machias and who had received their somewhat questionable credentials from the Provincial Congress of Massachusetts." This was war of the meanest and most despicable type, and in fact bore scarcely a feature of legitimate warfare. Privateering at its best, carried with it a train of admitted evils, the impossibility of eradicating it which has caused it to disappear from the belligerent code of all civilized nations. But the privateering of the Machias marauders was simply a veiled form of piracy in too many instances. Its connection with the general war which the colonies were waging in order to effect their separation from the British Crown was exceedingly slight and tenuous. It cannot be said that in the whole series of raids on the isolated hamlets of Nova Scotia, carried on without much interruption during the spring, summer and autumn months of five or six successive years, a single instance can be named, which contributed in ever so slight a degree to the eventual triumph of the American cause, while, on the other hand the cruel and causeless depredations alienated in Nova Scotia much of the sympathy originally felt for that cause by a certain part of the population.[1]

[1]The son of a gentleman who during this period resided in Kings County is the writer's authority fo the statement that the raids of Machais whale-boat captains in Cornwallis and Horton left the revolutionary cause without a sympathiser in Kings County.

The chief aim, or at any rate the chief result, of the operations of the Machias privateers who ravaged the coasts of Nova Scotia, was the seizure, and when appropriation was difficult or impossible, the wanton destruction, of private property. The story need not be recited in detail.

Nova Scotia commerce was swept from the seas. The ports—and in those days travel and commercial intercourse were almost wholly by water—were cut off from the capital, and from one another, producing not only inconvenience, but the severest hardships and privations. The semi-pirates by no means confined themselves to operations on sea. Scarcely a score of consecutive miles on the extended coast-line of the greater Nova Scotia from the St. John to the Miramichi, were left without the honor of a "visit." These visits took an almost invariable form, seizure, confiscation and conflagration. The series may be said to have begun at St. John in 1775 and to have ended at Lunenburg in 1782. The affair at Lunenburg—the last of a number at the same place—was a peculiarly offensive one. Indeed as time wore on, the rapacity and cruelty of these freebooters grew with the meat they fed on. No isolated hamlet that could be got at was spared. Not much amelioration of treatment could be noticed even in cases where the people of the settlement were supposed to be in more or less sympathy with the raider's own cause. So reckless and highhanded did these proceedings become that even Col. John Allen, of Eddy Rebellion fame, and who after as well as before, the Cumberland affair, had been in close touch with the Massachusetts authorities, felt himself compelled to notify the latter that "such proceedings (as those at Lunenburg, Annapolis, and Canso) will occasion more Torys than 100 such expeditions will make good." Colonel Allen judged correctly. So had George Washington.

THE PROVINCE SUFFERED LITTLE.

Apart from buccaneering raids on hamlets and fishing stations and the affair at Fort Cumberland, Nova Scotia cannot be said to have felt the direct impact of the war between the older colonies and the mother country. No weapon formed against Halifax, the vital centre of the Provincial organism, seemed to prosper. When the struggle began, the little capital was in a most defenceless condition. A slight

blow well directed would have sent it reeling to ruin. So culpable had been the neglect that there was nothing, in the shape of either fort or garrison, to withstand assault. Fortunately it was in the power of the authorities to fix up the dismantled fortifications and provide troops for their defence, whereas, on the other hand schemes for "the destruction of Nova Scotia," like that of Colonel Thompson of Machias were pretty sure to miscarry for the reason given by General Washington—"The enemy's strength is at sea." Thus it happened that from the beginning to the end of the long-drawn-out conflict, Halifax was never in serious danger of capture, and that not because she was intrinsically strong, but because her enemy was fatally weak in ships. Murdock's statement that "a reign of terror" prevailed throughout the Province during the whole revolution period is strikingly inapplicable to conditions at Halifax, though it may be accepted as indicating the general sense of uneasy apprehension produced in the out settlements by the incursions engineered from Machias and Lubek.

For the first year or two, before the essential features of the situation had been fully disclosed, there were, it is true, occasional spasms of alarm, if not of panic, but long before the war came to a close, these had been replaced by a general sense of security and confidence.

Poole in his *Annals* conveys a decidedly erroneous impression by representing the fate of Nova Scotia as hanging on a thread during the entire war period. The fate of Nova Scotia depended on the fate of Halifax, and as time passed on, the influential classes at the capital increased in loyal attachment to the Crown, and the city in its capacity to resist attack. Notwithstanding Poole's strong metaphor, it is doubtful if, within the terminal limits of the war, a time can be named when Halifax was in, not to say imminent, but even the remotest, danger of passing out of the possession of Great Britain.

Credit has already been given to Governor Legge for the promptitude and energy with which he faced the situation created by the revolutionary outbreak in the summer of 1775. He found little material at hand with which to carry on war either offensive or defensive. The people of Machias having obtained authority from the Provincial Congress "to adopt any warlike measures they thought fit against the King's troops and government" got to work at once. Lieutenant-

Governor Francklin, learning that "depredations might be made in the basin in Minas, by pirates from Machias," wrote from Windsor for an escort of troops. Francklin was informed that the militia must be depended on for the defence of the country, as there were only thirty-six effective men in the garrison at Halifax.

Then came proclamation after proclamation, winding up with one putting the whole Province under martial law. It is not necessary to go into the details of Legge's mainly abortive schemes of raising troops. "One regiment of one thousand men to be composed of Germans, neutrals and Irish (without regard to their religion) might partly be raised in the Province and partly in Newfoundland." It will be noticed how carefully the Governor excludes the New Englanders from the list of nationalities from which the regiment was to be drawn. Later in the year he proposed to raise another regiment of equal proportions for the defence of Halifax, but succeeded in securing the enlistment of but one-tenth of the required number. Still later (November 27, 1775,) he has encouraging news to communicate to the Secretary of State. "Upwards of seven hundred of the principal inhabitants of the County of Halifax, Kings County and Annapolis, have not only taken the oath, but entered into an association, acknowledging their duty and fidelity to his Majesty, the supremacy of Parliament, etc., etc." This was encouraging. Somewhat out of chronological order it may be mentioned that the Governor obtained from General Gage in Boston "ten companies of the 14th and about 70 men of the "Royal Fencible Americans." Colonel Gorham was now able to report three hundred and ninety men in the garrison of Halifax, but of these, unfortunately, only one hundred and twenty-six were returned as fit for duty. The latter facts suggests that General Gates had taken advantage of Legge's application to get rid of some of his invalided men. On the whole the general tone of Legge's communication to the home authorities is grumbling and despondent, small as was the number of troops, they are "disobedient" as well as "insignificant," a fact which the Governor had duly made General Gates aware of. The Ministry is informed that "there is not the least kind of defence about the town," and that "we lay open to the country on every side—the batteries are dismantled—16 carriages of guns are all decayed and they are lying on the ground. For the present all that could be done was to fortify the navy yard with temporary block-

houses and palisades. It was thought too late in the season to fortify Citadel Hill."

Though H. M. S. *Tartar,* H. M. S. *Senegal,* and an armed schooner had been ordered to proceed to Machias "to destroy the enemy's preparations," it proved to be a case of locking the door after the horse was stolen. The order was given on the 16th of August. A few days before the band of marauders whose aims the *Tartar* and *Senegal* were sent to frustrate had sailed into St. John's harbor, took possession of a brig, laden with oxen, sheep and swine, intended for the royal troops in Boston, and after capturing Fort Frederick and making prisoners of its former occupants, had burned it to the ground. It was supposed that they had made off to Annapolis, so Captain Le Cras of the *Tartar* was instructed to cross the bay and keep a sharp look out for the marauders. The bird had flown to places unknown or inaccessible to Captain Le Cras. It would have been folly to seek a second cargo before disposing of the first.

The opening year of the war closed none too encouragingly. The report that the Congress of Massachusetts had embodied a large expedition (13,000 men) to besiege Halifax and had been hindered in the attempt, simply by rumors of smallpox in the place to be attacked, is probably pure fiction. But bad news that could be relied on came from outside points. Montreal had fallen to American invaders. Governor Callbeck of the Island of St. John had been seized and imprisoned by the crews of two privateeers from Marblehead. Legge kept assuring the Ministry that both the Assembly and his Council were honeycombed with treason. One thing, however, he felt bound to say on behalf of Nova Scotia: "It is the only settled Province on the sea coast which has preserved itself from the madness and contagion which have overspread all the other of His Majesty's colonies."

OUTLOOK IS DISCOURAGING.

Gloomy enough was the outlook for Nova Scotia, notwithstanding her happy preservation from "madness and contagion." At the opening of 1776 Quebec was the only part of Canada which Montgomery and his Provincials did not hold. The British troops were still shut up in Boston. The rumors of that big expedition which was to lay Halifax low, had not completely died out. Legge resolved on some-

thing drastically severe. Martial law was declared. He could not trust his Council any longer. The military defence of the colony could not tolerate men who revealed the secrets of government to the rebel foe. So the Governor nominated an inner Council—a Council of war, to consist of the commanding officer of the troops, the commander of the navy, Morris, the surveyor-general of the Province, Creighton of Lunenburg, and Lieutenant-Colonel Denson of his own regiment. It is again noticeable how severely he cuts Jonathan Binney and Henry Newton, members of the regular Council for many years, and each of whom continued to sit as councillor until his death. Their exclusion from this special Council of War did not affect their right to sit at the regular board. The former had perhaps advisory power, but no legal nor constitutional status. The Commander-in-Chief at this particular time was General Massey. The commodore of the navy was Marriott Arbuthnot, shortly to be appointed Lieutenant-Governor.

(1) John Creighton was an English officer, who was discharged on half pay at the peace of Aix-la-Chapelle. Coming to Halifax in 1749 he accompanied the German settlers a few years later to Lunenburg, where he resided until his death in 1897. Soon after his designation to this military board, he received an appointment to the regular Provincial Council.

(2) Henry Denny Denson—Presumably of Rhode Island birth, was one of the original grantees of Falmouth, in which township he became a large landed proprietor. His influence, which he invariably exerted in support of the established order of things, was very great among the New England settlers of Falmouth and Newport. He was for many years a representative of Kings County in the Assembly.

(3) Of General Massey's career in the army the histories give us scant information. His previous sphere of duty seems to have lain largely in the West Indies. On examination of the brief records we have of his term of service in Halifax gives a favorable impression of his character and abilities. Fort Massey perpetuates his name. First extended to an adjacent military cemetary, then to the surrounding residential area, its use is now chiefly to designate a church which is one of the ecclesastical ornaments of Halifax.

Three Lieutenant-Governors in succession held office during the period intervening between the retirement of Legge in 1776 and the

appointment of John Parr a Governor-in-Chief in 1782. These were Commodore Marriott Arbuthnot, already named (1776-1778). Sir Richard Hughes (1778-81) and Sir Andrew Snape Hammond (1781-82). Each of these gentlemen was a naval officer, and of the two latter, each filled during the term of his Lieutenant-Governorship the post of "Commissioner of His Majesty's Navy Yard." An economical consideration dictated this rather peculiar amalgamation of official duty. Legge had been shelved with the retention of the title and emoluments of the governorship. This arrangement plainly involved the necessity of a distinct military staff. General Massey, the newly appointed Commander-in-Chief worked in harmony with the Governors, and made the most of the few troops at his disposal to defend Nova Scotia against her enemies. It was indeed the day of small things. Thirty men were sent to Lunenburg, fifty to Yarmouth, two companies of Marines, under Majot Batt, were all that could be spared for Fort Cumberland when danger threatened in that quarter. The reinforcements happily proved ample.

Gradually however, General Massey found the number at his disposal sensibly augmented. The arrival of "Major Small, 2nd Battalion Highlanders sent here by General Howe (from New York) was very opportune, for just at that time a whole fleet of Machias whale-boats had entered the St. John. This was interpreted as a prelude to a general attack on Nova Scotia, so it was determined to nip the evil in the bud. This was effected by a joint force of regulars and militia from Halifax and Windsor, under Brigade Major Studholme, of the Royal Fencibles and Colonel Francklin." In October, 1777, there were in the Province thirteen hundred men "fit to do duty". Five companies of marines (about six hundred men) Lieutenant Gorhan's Corps, one hundred and seventy men; Major Small's Highland Emigrants, not four hundred, part at Fort Cumberland and part at Windsor; Legge's Corps, twenty on board of a sloop and forty digging coal, at Spanish River (Sydney).

This number was splendidly swollen the ensuing spring. A brigade of troops arrived from the Clyde, consisting of the 70th Tyrone's, —72nd, the Hamilton's, under Colonel Francis McLean,—74th, Campbell's Regiment of Highlanders, with these were Major Small's Battalion of Highlanders, Major Santer's Battalion of Marines and Gorham's and Legge's Corps, making a total of five thousand troops.

Francklin commanded the "Indian Allies," Winckworth Tonge the militia. A year or two before Francklin had received the imperial appointment of Indian Commissioner. Murdock is our authority for stating that Colonel Tonge enjoyed the especial confidence of General Wolfe. General Massey had distinguished himself at Carthagena, Niagara, Martinco and Havana. General McLean had earned an honorable name as Commander-in-Chief of the Portugese army. With such officers and five thousand men available for the protection of the Province, it is not strange that a sweet sense of security took possession of the public mind.

GOVERNOR HUGHES.

Lieutenant-Governor Arbuthnot received notice of his being made a Rear-Admiral, and at once returned to England to take possession of his flag ship. Navy Yard Commissioner, Sir Richard Hughes was sworn in as his successor on August 17, 1778. One of Arbuthnot's last official acts was to request funds for the employment of a priest to act as missionary to the Indians. Fifty pounds were voted and one hundred pounds were promised as a salary. This was probably due to the suggestion of the Indian Commissioner Michael Francklin, whose conciliatory policy was as effective with the Indians as it has been with the Acadians. Shorty after Francklin negotiated a treaty of amity with a common congress of Micmacs and Malicites at St. John. The peace, however, cost in presents for the Indian diplomats no less than four hundred and thirty-seven pounds, two shillings and nine pence. In addition there was an outlay of forty pounds for Mr. Francklin's table "whilst he remained among them". These expenses were ordered to be paid, *and a claim made on the Secretary of State to reimburse the Province.* The Rev. Mr. Bennett, "itinerant missionary," put in a claim for expenses incurred in conciliating the same, or other, red men in 1776 or 1777. This claim was passed on with a recommendation to the Lords of Trade. Regarding the treaty referred to is the following reference in Lieutenant-Governor Hughes's letter to the Secretary of State of the 12th October 1778:

"I cannot speak too highly of the talents, zeal and diligence of the Hon. Mr. Francklin, our superintendent for Indian affairs, to whose discreet conduct and steady perseverance, assisted by Major

Studholm and M. Bourg, the priest, we owe the success of this treaty." Hughes adds that the "Indian Chiefs returned into the hands of our superintendent the *presents which they had received from the rebel General Washington.*"

Though his name has passed into complete oblivion, no Governor of Nova Scotia has ever discerned more clearly the condition, or interpreted more correctly the needs of the Province committed to his care than did Commissioner Hughes. In his eyes England had committed an unpardonable crime in allowing picaroons from Machias to destroy fisheries at Canso, worth at least fifty thousand pounds a year. For years, whenever the fleet had happened to be away, rebel cruisers had stationed themselves, some towards Margaret's Bay, some towards Jeddore, to pounce on coasting vessels and merchant ships making for Halifax harbour. And if such things can happen almost in site of Citadel Hill, what wonder that the remoter coasts have been so terribly ravaged and Nova Scotia shipping swept from the seas? The advice of Governor Hughes was to fight fire with fire. For larger operations the war ships of the fleet can well be depended on. The crafts which are doing all this incalculable damage hug the shore, steal in to the smallest harbours and hide themselves in the fog. The only salvation consists in putting out smaller cruisers that can go where they go and sailed by captains and manned by men who are up to all their tricks. Hughes successfully urged reciprocity in the privateering business. Halifax and Liverpool competed both as to which should be first, and which should do the most to meet the Governor's wishes. Then a miniature provincial navy made its appearance in our coastal waters, and did good service. The Governor made a vigorous appeal to the Ministry to subsidise the *Loyal Nova Scotian,* the first of these home-made war craft. The appeal seems to have been unsuccessful. The result cannot be attributed to any want of elaboraration on the part of the Governor in presenting the claims of the *Loyal Nova Scotian.* A single sentence of his letter contains no less than one hundred and ten words. The Provincial Assembly came to the rescue with a vote of two hundred pounds, which, however, would not go very far as the monthly expense of the cruiser for wages and provisions amounted to one hundred and twenty-five pounds. This was followed shortly after by a resolution to devote no less a sum than five thousand pounds to the construction of a fleet after the model

of the *Loyal Nova Scotian*. The Province soon had afloat a domestic navy, some four ships in all, of an average tonnage of fifty or sixty tons. The advantage would have been greater had the policy been adopted earlier.

The fires of privateering once kindled, blazed forth fiercely, and contributed during the remaining months of the war its conspicuous feature so far as Nova Scotia was concerned.

MAJIBIGWADUCE.

During the French rule in Acadia there were few better known seaports than Pentagoet, in these days *Anglice* Penobscot. It recalls the names of Claude la Tour, who originally etablished a fort there, of Charnisay and of Grandfontaine, who after the Treaty of Breda, made it the capital of Acadia. Since the beginning of the eighteenth century it has been known as Castine, a name derived from that of the Indianised French Baron, who made the district around his hunting ground. It occurred to the military authority at Halifax that the place, then bearing the singular name Majibigwaduce, still possessed considerable strategetic importance. An expedition under General McLean was therfore fitted out at Halifax for the purpose of seizing and fortifying it. The movement bade fair to be successful. McLean landed his force at Majibigwaduce without opposition and at once proceeded to erect proper fortifications. Before much progress had been made in that direction a strong armament from Portland completely invested him, the squadron having brought, it is supposed, not less than ten thousand men. In this emergency a relief force, made as strong as circumstances allowed, started from Halifax, but before progressing far was driven back by a gale.

Meanwhile, Sir Percy Collier at New York, having learned of the tight box in which McLean was encased, started without delay to raise the siege. The American commander had fixed on the 14th of August as the day on which the half-finished fort was to be assaulted. Collier with six or seven stout men-of-war put in an appearance just in time to break up the plan. Accounts vary as to the fate of the investing force. Murdock's statement that Collier destroyed the entire fleet of thirty-seven vessels of war and transports is too strong. The siege however was raised. Several, perhaps many, of the American vessels

sailed up the river, and were set fire to by their crews before decamping to the woods. Majibigwaduce was held firmly by the British to the end of the war.

General McLean returned to Halifax, leaving Majibigwaduce in charge of Colonel Campbell. He busied himself with strengthening the fortifications of Halifax, though his important capture on the Penobscot had much lessened the danger to which the capital had been exposed. "The Governor and Council resolved that one-sixth of the militia of the townships of Lunenburg, Windsor, Falmouth, Newport, Horton, Cornwallis, Cumberland, Truro, Onslow and Londonderry should be employed for three weeks on the works at Halifax, which they computed would furnish two hundred workmen for that time." General McLean did not live long to continue his meritorious activities. He died in 1781.

CLOSING EVENTS OF THE WAR.

The closing year or two of the long-drawn-out war brought with them no particular signs of danger to Nova Scotia. The establishment of Majibigwaduce indicated the wisdom of the McLean expedition. By an arrangement between the belligerents for a regular cartel exchange of prisoners, Halifax was relieved of a most troublesome and expensive burden, seeing that for years in succession the number of colonial prisoners to be provided for had ranged from five to eight hundred men. In privateering exploits and in the battles of the cruisers, Halifax well maintained her credit for nautical skill and for the courage that does not shrink from fighting against odds. Passing by for want of space the more important of the ventures and encounters which made up the maritime history of the closing epoch of the war as it affected Nova Scotia, we quote from Murdock an account of an incident not generally noticed: "On the 21st of May (1781) about thirty rebels, in a shallop mounting one carriage gun and six swivels, with two armed whale-boats, came up the Bay of Fundy, and took a schooner belonging to Captain Sheffield, laden with goods for the river St. John, and carried her down the bay, and was pursued by Captain Bishop and Captain Crane in a small schooner with thirty-five men, which, after an engagement of twenty-five minutes, the rebels took and made prisoners; upon which Lieutenant Belcher of the Volunteer Militia of Cornwallis, with twenty-eight volunteers

embarked on board of an armed sloop at that place, and proceeded down the bay after the rebels; when they came up with it, and retook Captain Sheffield's vessel, after killing one rebel. The rebels took to their whale-boat and ran ashore at Cape Split, where Lieutenant Belcher[1] could not follow them for want of boats. After which he gave chase to the vessels taken from Captain Bishop, upon which Captain Bishop discovered the vessel coming after them, rose upon the rebels and retook the vessel, the sloop, with the prizes and made the rebels prisoners, returned to Cornwallis, the 1st inst. and on Sunday, the prisoners arrived here and were put in confinement. The expenses incurred in hiring the armed sloop, pay of the militiamen,[2] etc., and bringing the prisoners from Horton to Cornwallis, came to one hundred and seventy-five pounds, fourteen shillings and four pence."

However things might be going in Nova Scotia the end of the great struggle was near at hand. The French alliance which for a time seemed to contribute nothing to the colonial cause at last bore fruit. It was at a very dark moment when a considerable number of the Washington troops were in semi-mutiny and the congressional exchequer was empty that the French fleet by threatening New York, indirectly effected a fatal division of the army of Cornwallis. It obtained also a full control of Chesapeake Bay and enabled Washington and Lafayette to effect a junction, and with their united forces to closely invest Cornwallis at Yorktown. The British fleet, with reinforcements sent by Clinton from New York, arrived five days too late to save the day. On October 19, 1781, Cornwallis surrendered his land forces to Washington, his ships to Lafayette.

The unique character of the circumstances, accompanying, and contributing to the wind up of the struggle has never been more truly and more strikingly set forth than by Archdeacon Raymond, who says:

"The final outcome of the revolution was that all the colonies that had been settled by the English were lost, while those they had wrested from France were preserved to the Crown. This was certainly a singular thing. Another curious circumstance was that France should have been largely instrumental in enabling the colonies, which had

[1]The Belcher family in Cornwallis was not, so far as is known, even remotely connected with that of Chief Justice Belcher of Halifax. It is no longer found there, but Belcher street perpetuates the family name.

[2]It may be noted that all the men mentioned in connection with this gallant exploit belonged to New England families and are still represented in Kings County.

so greatly injured her in the past, to achieve their independence, and on the other hand Canada proved loyal to England."

CIVIL HISTORY DURING WAR PERIOD.

Murdock deplores that during the war period there were so few civil events of importance for the historian to take note of. Governor succeeded Governor. The "Long Parliament" held its annual sessions. Prominent officials passed away. Chief Justice Belcher died in 1780 and was succeeded by Mr. Bryan Finucane. Some important acts were passed. The office of Provost Marshal, the name given to the officer who had control of elections throughout the Province, was abolished. Sheriffs were appointed for the respective counties, and in order to secure royal sanction of the Act abolishing the Provost-Marshalship, Mr. Fenton, the retired official, was voted a pension of one hundred pounds for life. (Atlantic Provinces of Canada, Vol. 1, p. 140.)

A motion was made by Mr. Shaw of Annapolis that "the House do take into consideration the establishing a public school in such part of the Province as shall be thought proper." This motion led to the appointment of a committee to report a plan for such a school, which committee recommended a grant of fifteen hundred pounds, "to defray the expense of erecting a proper and convenient building in the town of Halifax," said sum to be raised in the manner as shall be directed by the General Assembly.

In 1781, Sir Richard Hughes—knighthood and naval promotion came together—was appointed "Rear-Admiral of the Blue." He was succeeded in both the Lieutenant-Governorship and the Commissioner-ship of the Navy Yard by Sir Andrew Snape Hammond. Mr. Shaw of Annapolis was ordered to prepare a bill "to repeal certain clauses in the laws of this Province which affect persons professing the Catholic religion." Windsor, Falmouth and Newport "with the lands contiguous thereto" were detached from the County of Kings, and made a separate county, to be called for reasons unknown, the County of Hants. It was alleged that Horton, the county town of Kings, was inconveniently situated. The region (part of Halifax County) hitherto called Cobiquid, was henceforth to be known as Colchester,

and the district was extended so as to include Tatamagouche. Under the act for establishing a public school at Halifax, managers and directors were appointed, the majority of whom, Jonathan Binney and Henry Newton among the number, were members of His Majesty's Council. A lottery, more or less successful, was resorted to for raising the fifteen hundred pounds appropriated by the Assembly for a building.

CHAPTER VIII.

CLOSE OF THE WAR—UNITED STATES AN INDEPENDENT NATION—GOVERNOR PARR—DEATH OF MICHAEL FRANCKLIN—LAST SESSION OF THE LONG PARLIAMENT—NOVA SCOTIA DIVIDED—IMMIGRATION OF LOYALISTS—SIXTH GENERAL ASSEMBLY—NEW BRUNSWICK—CAPE BRETON.

The preliminary articles between Great Britain and the United States of America were signed at Paris by the commissioners of the respective nations on November 30, 1782. During the few months preceding this important event, occurrences worthy of note had taken place in connection with the public service of Nova Scotia. On the 19th of October, John Parr, Esq., had been proclaimed according to the stereotyped phrase "Captain General and Governor-in-Chief of H. M. Province of Nova Scotia" and duly commissioned Vice-Admiral of the same. Sir Andrew Snape Hammond was continued in office as Lieutenant-Governor, but having expected promotion to the Governorship respectfully resigned the subordinate position. In his letter to the Earl of Shelburne, tendering his resignation he thus gives voice to his disappointment: "I accepted of that appointment, my lord, on the strongest assurances of succeeding to the Governorship, and I am free to own to your lordship my regret at being thus so suddenly and unexpectedly removed, as it carries with it an appearance of being the consequence of His Majesty's disapprobation of my conduct, and a consideration, which indeed, greatly lessens the satisfaction I should otherwise have felt from the public testimonies I have received of the approbation of the inhabitants of this Province with the measure of my administrations." Sir Andrew Snape as a token of appreciation had voted him by Council 10,000 acres of land on the River St. John. Hammond River, a fine tributary of the St. John perpetuates his name.

On the 8th of November, Michael Francklin's honorable career came to a close. He was for ten years in succession Lieutenant-Governor, and, especially while Lord William Campbell nominally filled the Governorship-in-Chief, was for extended periods actual adminis-

trator, yet he was never raised to the highest position. Such elevation would have added nothing to his well deserved fame. He was content to serve his country without caring much for titular distinction. While his nominal superior was off on his pleasure trips, Francklin was helping the new settlers solve their vexatious problems, particularly he was bringing back, as many exiles as he could to the Acadia of their dreams. As a merchant, an assemblyman, a councillor, a lieutenant-governor, an organizer of the Provincial forces in time of greatest need, a rallying point for the discouraged in their hour of utmost danger, a Christian gentleman, and if you like, a country gentleman too, when he could snatch a moment for Windsor or Franklin Manor.[1] Nova Scotia has had few public servants more worthy of enduring memory than Michael Francklin.

LOYALISTS SEEK NEW HOMES.

The treaty of peace between Great Britain and her former colonies once concluded, it then became necessary for those who had remained loyal to the crown to flee from the land of their birth or their adoption. There was, however, a year's grace for those who could obtain access to New York.

Boston set the pace for the rest of Massachusetts: "Therefore resolved, that this town will, at all times, as they have done, to the utmost of their power, oppose every enemy to the just rights and liberties of mankind; and that after so wicked a conspiracy against those rights and who have been refugees, and declared traitors to their country, it is the opinion of this town, that they ought never to be suffered to return but to be excluded from having lot or portion among us.

Indeed, before the peace had been formally concluded, streams of refugees had begun to pour forth into British territory as opportunity offered. Parr on his accession to office was deluged with applications for land and building material for the thousands who must be out of New York when evacuation day arrived. Amos Botsford was chairman of a committee sent on to Nova Scotia to select lands on which large groups of exiled loyalists might build new homes

[1]Francklin Manor was situated on the west side of River Hebert, between the estates of Colonel Barron (Barronsfield) and Colonel Blair. Francklin Manor is now the site of some of the finest farms in Nova Scotia. Francklin did not lock up his lands. He put settlers on them and improved them.

for themselves.[1] This committee had its attention first drawn to a practically uninhabited region called the township of Conway, stretching from Annapolis to Saint Mary's Bay, and now known as the County of Digby. "A very good soil and favorable to the fishery," was the committee's report. The St. John River was then visited and the Maugerville settlers are described as "wealthy farmers, having flocks of cattle." Botsford writes from Annapolis where they returned to spend the winter: "Some of our people choose Conway, others give the preference to St. John. Our people (a small body of immigrants had accompanied the committee) who came with us are settled here for the winter; some at the fort; some in the town, while others extend up the Annapolis River nearly twenty miles, having made terms with the inhabitants; some are doing well, others are living on their provisions. Their behaviour is as orderly and regular as we could expect." Eventually about ten thousand loyalists settled on the St. John; about three thousand in Annapolis. A number variously estimated from eight to twelve thousand sought to build a city on the site of McNutt's new Jerusalem at Port Roseway. To provide sites for these and numerous other bands of settlers, escheats of granted lands were now the order of the day.

The "Long Parliament"—though the Governor had received royal instructions authorizing dissolution "if thought useful"—continued to live on. It met in its sixteenth session on the 6th of October, 1783, William Nesbitt still in the chair. Time, however, had brought infirmities with it. Nesbitt tendered his resignation to take effect at the end of the session. The House voted him one hundred pounds a year for life. He had been a member of every Assembly from the beginning, and speaker since 1759. He was also Attorney General for twenty-five years. The House was in a peculiarly generous mood. It voted Governor Parr "five hundred pounds towards the support of his table, on account of the unusual resort of strangers to this Province." It also voted additions to official salaries pretty nearly all round. Also "that there be paid to John Creighton, Esquire, colonel of militia for the County of Lunenburg for himself,

[1]The next summer Mr. Bottsford was appointed to locate those of the settlers who preferred to settle on Annapolis Basin. He, himself, put down his stakes in Sackville, N. B., where he acquired partly by grant, partly by purchase, the magnificent Westcock property. He was a graduate of Yale, one of the first representatives of Westmorland County in the New Brunswick Legislature and a speaker of the House for many years. Charles Dixon, the Yorkshire immigrant, was his colleague in the first New Brunswick Assembly.

a non-commissioned and one private (who were made prisoners at Lunenburg and carried to New England) the sum of one hundred and six pounds, nineteen shillings, out of the arrears of the land tax due from the counties of Lunenburg and Queens, when the same shall be paid from the treasury."

An Act of Oblivion extended a "full pardon for all treason and misprision of treason in connection with the late war to all H. M. subjects of this Province without any exception." Roman Catholics were freed from all disabilities in regard to the holding of lands and the celebration of public worship.[1] The process of escheating lands went on apace. One of many vessels sailing from New York for Nova Scotia in September, 1783, was wrecked between Cape Sable and the Tuskets. Ninety-nine perished and seventy-five were saved. Fishing boats conveyed the rescued passengers to the St. John, whither they were bound when wrecked. The new loyalist town at the mouth of the St. John was christened Parrtown.

LONG PARLIAMENT'S LAST SESSION.

On November 1, 1784, the seventeenth and last session of the fifth General Assembly of the Province was convened. The most important announcement in the opening speech of Governor Parr was "that the King had divided the Province into two governments" and that the new Province, to be called New Brunswick, embraced all the territory lying north of a line "drawn from the mouth of the River Missiquash in the Bay of Fundy, to its source, and from thence across the "isthmus into the nearest part of the Bay Verte." Allusion was also made to the new arrangement by which Cape Breton was withdrawn from the jurisdiction of Nova Scotia, with a lieutenant-governor of its own. By his commission, Parr, as captain-in-chief and Governor General, had under him as subordinate the lieutenant-governors of Cape

[1]The Roman Catholics of Halifax, who had become numerous, availed themselves of the remedial legislature recently passed to provide themselves with the facilities of public worship. They acquired the land on which St. Mary's Cathedral now stands and erected a church which stood nearly opposite the head of Salter street. The frame of the church was raised in presence of a great concourse of gentlemen and other people.

Parr reports the total number of loyalist immigrants as nearly 30,000, and states that "as nothing will contribute more to the quiet of the minds of the loyalists of the Providence than being represented in the House of Assembly, I am to request H. M. royal instructions to increase the number of that House." Reports began to circulate "that Nova Scotia and Canada were to be divided into several Provinces—that there was to be a governor at Parrtown and another at Halifax.

Breton and St. John's Island. Though the division of Nova Scotia into two Provinces had been practically effected by the appointment of Governor, judges, law-officers, and other officials sometime prior to the meeting of the Assembly at Halifax, the members from the northern constituencies already thrown into New Brunswick sat as usual and took part in the business of the House. Richard J. Uniacke, who represented an out-going constituency (Sackville) was chairman of the committee to prepare an answer to the Governor's speech. He also got a motion passed to provide a place "for the freeholders to hear the debates."

No business of importance was transacted at the closing session of the "Long Parliament." It was felt that the problem of the new era—with peace restored, and New Brunswick and Cape Breton lopped off—should be left to a House fresh from the people. Four members were lost as a consequence of the division, two for the County of Sunbury, one each for the townships of Sackville and Cumberland. An act provided for the addition of six, two each for the counties of Shelburne, and Sydney, and one for each of the townships of Shelburne and Digby.

On December 24, 1784 Sampson Salter Blowers was appointed Attorney-General of Nova Scotia in succession to William Nesbitt, deceased. Mr. Blowers was the first loyalist immigrant to receive an appointment to public office in Nova Scotia. As he had a long and illustrious career in Nova Scotia his name will recur more than once in the subsequent narrative.[1]

[1]The early history of Blowers is admirably given by Dr. A. W. H. Eaton, in a recent number of *Americana*. A graduate of the Boston Latin School and of Harvard, and a law student with Governor Thomas Hutchinson, he afterwards practiced law with distinguished success in Boston. Adhering to the royal cause, he was obliged by the exigencies of war to take refuge in Rhode Island, then under British occupation, where he was appointed judge of the Rhode Island Court of Vice-Admiralty. When the English were obliged to evacuate Newport, Blowers repaired to England to seek some compensation for his financial losses. This he obtained in the shape of an appointment to the solicitor generalship of New York, still a British possession. When the time came, as it soon did, for New York to be evacuated, Mr. Blowers repaired to Halifax, arriving there on the 25th of September, 1783. When the new Province of New Brunswick was being provided with an official staff, Mr. Blowers was designated as its first Attorney General, but relinquished the position on receiving a similar appointment for Nova Scotia. In a letter to a friend in St. Louis, written just after he had reached Halifax, he thus reported prospects: "I have been politely received by the Governor, and have seen several of the great men here, and I am told by them all that my coming among them is agreeable and that I shall soon find business. *This last I am inclined to doubt in any extreme degree.*" His doubts were soon removed. One year after, in 1784, he was made Attorney General, and then proceeded to climb the ladder of promotion rapidly, in 1785 member and speaker of the Assembly; in 1788, member of the Council; in 1797, Chief Justice of Nova Scotia.

NEW ASSEMBLY.

Shortly after Blowers accession to the Attorney Generalship Chief Justice Finucane, whom the *Gazette* of the day pronounced "an upright judge an honest man—a warm friend and an accomplished gentleman—passed away. The post fell to Isaac Deschamps, whom Blowers was destined to succeed in 1797.

The sixth General Assembly, the elections for which had been held the preceeding month, met in its first session on December 5, 1785.

The members elected were:

County of Halifax—S. S. Blowers, J. G. Pyke, R. J. Uniacke, M. Wallace.
County of Lunenburg—D. C. Jesson, J. W. Schwartz.
County of Queens—S. Perkins, B. Collins.
County of Annapolis—T. Barclay, D. Seabury.
County of Hants—B. DeWolfe, W. Tonge.
County of Kings—J. Crane, E. Lawrence.
County of Cumberland—J. B. Dwight, C. Harper.
County of Shelburne—A. Lockie, C. McNeal.
Town of Sydney—J. F. Buckley, J. Putnam.

Town of Halifax—J. Fillis, W. Cochran.
Town of Lunenburg—C. Wollenhaupt.
Town of Liverpool—E. Dean.
Town of Yarmouth—S. S. Poole.
Town of Barrington—J. Aplin.
Town of Annapolis—Col. DeLancy.
Town of Granville—B. James.
Town of Windsor—J. McMonagle.
Town of Newport—J. Day.
Town of Falmouth—J. Northup.
Town of Cornwallis—B. Belcher.
Town of Horton—G. Dennison.
Town of Amherst—W. Freeman.
Town of Truro—M. Archibald.
Town of Onslow—C. Dickson.
Town of Londonderry—J. Smith.
Town of Shelburne—I. Wilkins.
Town of Sydney—J. F. Buckley, J. Putnam.

The latter post he retained until 1833. He died in 1844 having rounded out a full century of years. His house at the southwest corner of Barrington and Blowers streets is still standing. After being long known as the Waverley Hotel, it is now a part of the Sisters' Infirmary.

The seats of Mr. Harper for Cumberland and Mr. Freeman of Amherst were declared vacant, as the elected members were not "inhabitants of the Province." Philip Marchinton, a prominent merchant of Halifax, was elected in Mr. Harper's place for Cumberland. Mr. Seabury, one of the members elected for the County of Annapolis, was unseated by the Assembly "on scrutiny of votes." He was re-elected, but the House—it is not clearly stated on what grounds—gave the seat to the opposing candidate, Alexander Howe.

The setting off of New Brunswick as a distinct Province was now an accomplished fact. From its first suggestion to its full completion the process of dismemberment had occupied barely a year. To this by no means unimportant event a member of concurrent causes contributed. Among these a prominent place is assigned by later authorities to the inability of the government of Nova Scotia to handle successfully the initial problem of settlement at the mouth of the St. John. Others lay emphasis on the geographical facts which rendered separation a convenience, if not an absolute necessity. There is to be considered, too, the natural desire and ambition of so considerable a body of homogenous settlers, with a good supply of able and educated men to take the lead in such an undertaking, to found for themselves a Province with its institutions fashioned according to their own ideals. Beyond all doubt among the forces impelling to separation was dread, of that dread leaven of at least semi-republicanism, which they were taught to believe still lingered in some of the townships of Nova Scotia.

The scheme of devolution was pressed forward by Edward Winslow and its other promoters with great energy to a swift conclusion. Governor Parr, who was not exactly a model of prompt and vigorous activity, of course protested and sent an agent across to arrest the movement. The separation was a foregone conclusion, before the remonstrance reached the ministry in any form. As Governor Parr's hands were still pretty full with Annapolis and Shelburne, it is quite likely that he regarded the shrinkage of his Province as a relief rather than a loss.

New Brunswick started on her course with, as her Governor, Thomas Carleton assured the authorities at home, with a much better "constitution" than any of the other Provinces. "In Nova Scotia"—this was a new wonder of the world—"everything originated in the

Assembly." New Brunswick had no intention of shaping her institutions after the model of New England as Nova Scotia had done. New York, less infected with the virus of democracy and more inclined to strengthen the executive, had been taken as New Brunswick's pattern. Governor Carleton, however, did not go into particulars and inform the Secretary of State as to the precise points of similarity between the constitutions of Nova Scotia and Massachusetts, and of New Brunswick and New York respectively.[1]

BOUNDARY LINE QUESTION.

The selection of the Missiquash as the boundary line between the Provinces was more satisfactory to New Brunswick than to Nova Scotia. The latter protested but not with particular vehemence. Variously at later times—down to as late a period as 1802—she protested and memorialized with greater energy. The imperial government never displayed the sligtest willingness to reconsider this boundary question. Particular objection to the dividing line was taken on the ground that it unnecessarily and unjustly deprived Nova Scotia of long settled territory of considerable dimensions and great value—the whole of the large township of Sackville, and the greater part of the township of Sackville, and the greater part of the township of Cumberland, including the site of the historic fort itself.

In 1792 the Nova Scotia Assembly presented an address to the Lieutenant-Governor, praying for his intervention to secure a restoration of her territorial rights—"an alteration in the division line between this and the neighboring Province of New Brunswick." This address, and an answering one, presented by the Legislature of New Brunswick to its Lieutenant-Governor are published in the Appendix. The home government from first to last declined to re-open the question. It is understood that Nova Scotia suggested three preferable lines as follows—the order being that of diminishing advantage to herself:

1. A line from the head of the tide on the Petitcodiac River (near Salisbury, N. B.) to the head of the tide on the Restigouche river

[1]On the latter resemblance, almost the only detail supplied is that New Brunswick and New York chose inland sites for their capitals on the Hudson and the St. John, rather than in better peopled localities on the coast. The illustration certainly does not appear to be particularly relevant.

(Flatlands, N. B.) This line corresponded to the boundary between the old Nova Scotia counties of Cumberland and Sunbury and would have left Nova Scotia and New Brunswick pretty nearly equal in area, with the difference somewhat in favor of the former.

2. A line from the head of the tide on the Memramcook River (seven or eight miles southeast from Painsec Junction) to Cocagne Harbor near Shediac. Of this proposed boundary, Dr. Ganong, in *Boundaries of New Brunswick,* justly says: This "was not an unreasonable boundary, intended to include in Nova Scotia the old settlements of New Englanders (and Yorkshiremen) at the head of the Bay of Fundy, whose affiliations were most naturally with Nova Scotia."

3. A line from the mouth of the Aulac River (near Aulac Station Intercolonial Railroad) to its head, and then by a given compass line to the Straits of Northumberland. This boundary would have retained in Nova Scotia the whole of the township of Cumberland and indeed the whole isthmus proper. The boundary line through its entire extent was not finally determined until 1858. The character of the country from the head waters of the Missiquash eastward presented many obstacles to satisfactory adjustment. The river had no proper source, or none easily ascertained. Successive commissions appointed by the respective governments wrestled with the problem in vain. In 1858 a commission consisting of but two members, neither of whom was a Nova Scotian,[1] decided to project the river as a boundary above tide water and take rather compass lines along its general direction. The effect of this principle was to throw into Nova Scotia the entire upper course of the river and a considerable block of land to which she might not otherwise have established a claim.

In reviewing the controversy, Dr. Ganong is of the opinion that "the authorities of Halifax had some grounds for their view that the settlements at the head of the Bay of Fundy should have belonged to them. These settlements, notably from Sackville to Amherst, were formed between 1761 and 1765 by New Englanders (with later additions from Yorkshire, England) large numbers of whom settled in those years in the present Province of Nova Scotia while but few settled in those years in the present Province of New Brunswick. . . .

[1]Joseph Avard, Esq., of Shemogue, N. B., was the representative of Nova Scotia on the commission. His colleague was Hon. James Steadman—afterwards Judge Steadman—of Moncton.

In Nova Scotia, however, fewer loyalists settled and the New Englanders had a proportionately greater share in the government. It was natural therefore, that the government of Nova Scotia should view these settlements as belonging rather to old Nova Scotia than to the new loyalist government of New Brunswick. It is very probable that had this been understood by the authorities in England, or had the case of Nova Scotia been represented as persistently as was that of New Brunswick the boundary would have been established along the Memramcook to Shediac or Cocagne. That it runs as it does is another of those pieces of good fortune which New Brunswick has experienced in the settlement of her boundaries, a good fortune which is not realized and hence not appreciated by the people."

CAPE BRETON.

On becoming attached to the British Crown by the Treaty of Paris in 1763, she was connected with Nova Scotia by the imperial authorities, and formally organized under the style and title of the County of Cape Breton. During the two decades of her connection with Nova Scotia, though she nominally possessed the right of representation in the Assembly, the actual enjoyment of that privilege was denied her by causes already explained. That fine island was not placed on a level with the little township of Barrington and Falmouth, neither of which could probably have shown on strict count much, if any, over the minimum quota of fifty freeholders. Cape Breton was unrepresented and voiceless, accepting what the fates might allot her. Set free, she will now for thirty-six years pursue her own line of development, and her history will not have even a nominal connection with that of Nova Scotia. Our last notice of her was when in 1767 Lord William Campbell was sharply called to account for granting Benjamin Gerrish an eight months' lease for digging coal. It is but right to attempt a brief outline of what went on in Cape Breton between 1767 and 1784, the date of separation.

In 1768 a great blow befell Louisburg. The military authorities had caught scent of danger in New England and forthwith removed the entire garrison. Small traders and artisans followed the troops and "the once celebrated capital of Cape Breton shrank into infinitesimal proportions. Lord Hillsborough, considerably, but in rather awkward English, instructed Lieutenant-Governor Francklin to "sig-

nify to the inhabitants of the island of Cape Breton the tenderness with which His Majesty considered, and the attention that would be paid, to the improvements they had made under the temporary licenses which had been granted to them by the Government of Nova Scotia." Francklin sent to Lord Hillsborough a list of licenses of occupation in the whole island, there were only seven holders of said licenses. The number of parties who had made improvements without any title whatever was much larger of course, but amounted to but a few hundreds. There was not a single freehold in the island. But that year many of the Acadians who had fled to St. Pierre and Miquelon left the barren rocks and took up settlements at Isle Madame, River Bourgeoise, Harbour Bouche and Pomquet. Mr. Cottnam, chief magistrate at Louisburg, being threatened with starvation as a consequence of the withdrawal of the troops, proposed to leave, but Lieutenant-Governor Francklin induced him to remain by the promise of "A salary of 100 pounds per annum until his Majesty's pleasure be known."

In 1769 the rush of settlers to the neighboring islands of St. John's caused speculators to consider the claims of Cape Breton, which although inferior in point of fertility possessed many superior advantages over St. John's. Scores of needy, or greedy gentlemen sent in application for grants, the average acreage asked for being 20,000, though a few sank to about half of that amount. The applications were all pigeon-holed.

Though we have already noticed the remedy for the disfranchisemen of Cape Breton, by the resolution adopted by the House at Halifax, on April 2, 1770, it is ridiculous enough to bear repetition; "that no writ shall issue to the Isle of Cape Breton, because of the want of freeholders to make an election, and that the said isle be deemed to be represented by the members for the County of Halifax, into which it has resolved and became a part as heretofore."

Then came three years during which the painstaking historian of Cape Breton can find nothing worth putting on record save an incident in the early career of Lawrence Kavanagh who fifty years later, on the re-annexation of Cape Breton was one of the two members elected[1] for the island county and the first Roman Catholic gentleman to take his seat in the Nova Scotia Assembly. A charge was preferred

[1]Mr. Kavanagh's colleague was Richard J. Uniacke, Jr.)

against young Kavanagh of having removed and appropriated material for some of the deserted public buildings of Louisburg. The answer was that he had simply taken planks or other material from one public building to repair another of greater value. He retaliated by lodging complaint against Lieutenant Danson for impressing seamen belonging to vessels in which he had an interest and unnecessarily detaining his fishing boats. The whole matter ended in smoke. Mr. Kavanagh soon removed to St. Peter's. He was for more than half a century one of the most influential merchants in Cape Breton.

Though the right to elect members to the Nova Scotia Assembly was denied the people of Cape Breton, the duty of their raising troops for service in the war period (1775) which has now arrived was strongly insisted on. Indeed if the historian Brown's arithmetic is correct, in the apportionate of levies under Governor Legge's proclamation a most disproportionate assignment was made to Cape Breton and Isle Madame.

CHAPTER IX.

RISE AND FALL OF SHELBURNE—THE IMPEACHMENT OF JUDGES—THE OLD AND NEW INHABITANTS—THE LOYALISTS—THE CHURCH OF ENGLAND—SOME ECCLESIASTICAL HISTORY—BISHOP INGLIS.

It is impossible to ascertain with even approximate accuracy the increment of permanent population which accrued to Nova Scotia from the influx of Loyalists in 1783-4. Colonel Morse's report, with an appended return of the disbanded troops and Loyalists settling in the Province of Nova Scotia, mustered in the summer of 1784, gives the total as 28,347. The return was compiled before the partition and so includes the whole scope of the greater Nova Scotia. The total is swollen by the inclusion of 380 exiles, who had landed in the island of St. John, and having been provided for by the British goveernment thus came within the scope of the colonial muster. There is no record of any contingent in Cape Breton. Of the total number, 11,047 are beyond the isthmus. 9,260 at the St. John River and 1,787 at Passamaquoddy. Deducting this number with the 380 in the Island of St. John, we get 16,920 as the remainder (1784) within the peninsula. Colonel Morse, whose report appears in the appendix to this volume, proposes to "be able to give with precision the number of new inhabitants, viz, the disbanded troops and Loyalists who came into this Province since the peace, the whole having been mustered in the summer of 1784, in order to ascertain the number entitled to the royal bounty of provisions." As there was at least a limited number of those who fled to Nova Scotia for refuge, whose circumstances did not require them to take advantage of the royal bounty, it is reasonable to assume that the return, rather understates than otherwise the proportions of the migration.

The figures for that part of Nova Scotia which was about to become New Brunswick seem to be accepted by the historians and statisticians of that Province as reasonably accurate. The general tradition is that the original Loyalists settling on the St. John numbered about ten thousand, with some two thousand at other points.

That our peninsula received during the years 1783-4 an accession of population from a single source of nearly seventeen thousand souls appears, on its first mention, an almost incredible statement. If reliable, it follows that the newcomers were sufficient in number to swamp the entire mass of people found in the peninsula on their arrival,—original Haligonians, Germans, New Englanders, Pictonians, Yorkshiremen, repatriated Acadians and Indians. There were in the peninsula in 1767 according to the general return of that year barely 12,000 people of all races. There had been comparatively little growth during the following seventeen years. Church statistics showed that the settled population of Halifax had remained practically stationary. Possibly the 3,000 had become 4,000. There had been some provincial accessions, the Highlanders of Pictou and the Yorkshiremen of Cumberland, but on the other hand the New England townships had their natural development checked, and some of them their population seriously reduced by the war just closed. Comparatively few of the returning Acadians succeeded in making homes for themselves south of the Isthmus.

All known facts and probabilities suggest that prior to the Loyalist movement in 1783-4 the entire population of the peninsula did not reach fifteen thousand. Morse appends to his return of the Loyalists an estimate of the number of established settlers awaiting their arrival in the entire undivided Province as only 14,400. He is, however, clearly in error in reckoning the Acadians as only 400, there being certainly two or three thousand in the part of the Province about to be cut off, the section which had received the chief benefit of the influx which had set in in 1767. There were about a thousand English-speaking settlers north of the Isthmus. Morse's estimate of the "Old British Inhabitants" is probably somewhat below the mark.

"An abstract of the number of inhabitants will stand thus:

"Of Old British Inhabitants	14,000
"Of French Acadians	400
"Of Disbanded Troops and Loyalists which are called New Inhabitants	28,347
"Total	42,747"

It is clear beyond dispute that when Morse compiled his return the Loyalists and disbanded soldiers who accompanied them formed a decided majority of the population of the peninsula. Though the new element of population thus introduced was widely distributed, extending from the extreme west to the extereme east, a few principal centers comprehended the bulk of it. Nearly three-fourths of the entire migration are reported at Shelburne, the County of Annapolis, Chedabucto Bay and the County of Cumberland.

From a numerical point of view Halifax never was a conspicuous Loyalist centre. The two hundred and eight credited to the capital in the return were, it would appear, without exception, "the widows and children of Loyalists and soldiers and often objects of charity."

This does not mean that Loyalists in considerable numbers had not found homes in the capital, but that those who did so belonged to classes of which cognisance would not be taken in the muster. Halifax from 1781 to 1783 was the landing place and temporary halting place of numerous groups, which variously dispersed.

Morse's report was written in advance of the experiences of the first winter spent in Nova Scotia by the great majority of the Loyalist groups which attempted to form settlements in the Province, experiences on which happily we are not called on to lift the veil. The report, however, discloses some of the initial difficulties encountered, and contemplates the future with considerable apprehension. Most of the immigrants did not reach Nova Scotia until the season was well advanced. To get possession of the land designed for them, they had to await tedious processes of escheatment made necessary by the reckless and improvident policy of handing over whole counties to grasping favorites. Governor Parr and his official staff were rebuked for lack of preparedness to meet the emergency. With Morse the one urgent paramount duty or necessity—was to get the people on their lands. Eventually the question settled itself. Of land, such as it was, Nova Scotia had enough and to spare. Some of the groups of settlers, notably the one whose lucky star directed it to Annapolis, was so fortunate in its allotment, that the generation following might well repeat the grateful exultation handed down from old, "The lines are fallen unto me in pleasant places; yea, I have a goodly heritage." Others less favored by fortune finding that an abundance of the rocky, sterile soil marked out for them tended

to poverty rather than riches, tried other callings rather than agriculture, shifted about, and in too many cases left the country. Others merged successfully from struggles of which but scant records remain. Dangers were heroically faced; hardships and privations uncomplainingly borne. Fields of golden grain gleamed in the depths of the forest. Comfortable homesteads dotted Westchester Mountain and the Rawdon Hills.

To Colonel Morse the acquisition of land and the cultivation of the soil were the main points to which attention should be directed. "They have hitherto been mostly employed in building towns at the principal settlements. At Port Roseway and the mouth of the River St. John, astonishing towns have been raised, and in less time, perhaps, than was ever known in any country before. It is, however, much to be lamented such great exertions had not been more profitably directed in cultivating their lands, for besides loss of time, they have wasted their substance in that which can never prove profitable to themselves or useful to the country."

Morse was somewhat hasty in this expression of opinion. The money spent in reckless folly at Shelburne might as well have been thrown into the sea.

Results completely vindicated the policy of the Loyalist pioneers of New Brunswick in making a central nucleus at the mouth of the St. John, the main base of their operations for provincial settlement. This course of procedure was indicated alike by physical and topographical conditions. A noble river through fertile upland and intervale penetrated far into the interior. The town or city built at the mouth of the river would have to serve it the whole Bay of Fundy and its tributary waters, and could draw to itself the trade of the older Nova Scotia townships almost without exception.

It was very rash and entirely unwarranted in Morse to put in a common category enterprises so unlike in character as the attempts to build cities on the St. John and at Port Roseway. The story of the Sheffield misadventure has been often told and need not be repeated. Emphasis is naturally laid in the recital on the incidents and features which appeal most strongly to the imagination and to the sympathetic instincts of human nature. Yesterday an unsettled wilderness, today a city, tomorrow a ruin. One is naturally anxious to learn who originated, what train of circumstance led up to this

almost absurd attempt to improvise a fully fledged city in a place characterised by an almost entire absence of favoring conditions. To gratify this desire for information, a brief extract from an article in the collections of the Nova Scotia Historical Society by Rev. J. Watson Smith, D.D., is published in the Appendix.

THE MAGIC GROWTH OF SHELBURNE.

A more gourd-like growth than that of Shelburne is almost inconceivable. All the conditions of civic life and activity—as civic life and activity then were—were developed in the compass of a few months. Within a year its population doubled that of Halifax, exceeded that of Montreal or Quebec, and was equalled by few New England towns but Boston. Governors visited it in state and were glad to reciprocate the hospitalities of the gay and generous people. Earnest itinerants who had spent many a long day of tiresome travel in reaching a dozen settlers, found the opportunity of their lives in being able to proclaim the gospel message in a community embracing half the population of the Province. As long as money lasted there was something that strongly simulated the stir and whirr of actual business. A few rather misdirected attempts to provide the city with some kind of an industrial and commercial substructure was tried—the timber trade, ship building, fishing ventures—but none yielded satisfactory results. Cash in hand gradually became less and less. Government expenditures were withdrawn or reduced to a paltry minimum. Retail trade was smitten with a death blow. For labor, skilled and unskilled, there was no demand. Then came disintegration, then decay.

"Joseph Pynchon, one of the original delegates from New York, saved himself from reproaches which must have overwhelmed any sensitive man, by selling his lands eighteen months after his arrival and withdrawing from the place. Even in 1785, notices of houses for sale formed a good proportion of the whole number of advertisements in the Shelburne papers, though widespread reports of the new city and the beautiful harbour caused immigration which, for a time, counter-balanced the emigration—in point of numbers at least. But even this influx of strangers soon ceased; and in the autumn and

winter of 1787, when the government distribution of food had ended, men were treading on the heels of their fellows as they hastened away. One of the unsolved mysteries of Nova Scotian history is the ultimate destruction and fate of the vast majority of these wanderers for a second time. Some found homes in adjacent townships. Halifax absorbed a few well-known families. Others linked their fortunes with their fellow exiles in St. John. The great body drifted away no one knows whither. Few records of their wanderings and sufferings have been preserved. Their circumstances were most unfavorable to the preparation or preservation of historical data. The Loyalists in general left no songs behind them, nor harpers to chant their sorrow; the best writers upon one of the most marvellously sad events of the new world have given us only a comparatively few detached incidents, which serve to deepen the mysterious interest of the story, rather than to remove it."

The Shelburne of Joseph Pynchon has had no resurrection. It is difficult to conceive of circumstances likely to restore it to life, with its fevered rush, its simulated prosperity, its gay revels. Modern Shelburne is one of the most beautiful of our smaller county towns, with a most reposeful air, some well established industries, and a people noted for their exceptional intelligence and high standard of morality.

One effect of the Loyalist wave of immigration was to bring into Nova Scotia in considerable numbers gentlemen qualified by ability and experience to take part in the direction of public affairs, particularly in the realms of jurisprudence and politics. In determining the extent to which actual participation in the official positions under control of the Crown and Council should be accorded the incoming settlers, two contrary forces might be recognized as at work, on the one hand, the natural desire to show proper appreciation of unswerving loyalty, and on the other a strong objection to the displacement of good men already in possession. The general description of the situation in Nova Scotia after the peace is that there was quite a scramble for office between the new and the old. Judgment on the accuracy of this representation may be deferred until relevant facts have passed under scrutiny.

THE IMPEACHMENT OF THE JUDGES.

The outstanding event in the history of the sixth Assembly, that elected in 1785 after the dissolution of the "Long Parliament," and just after, too, the Loyalist settlement, was the "Impeachment of the Judges." A firm of lawyers, each member being well known. Loyalists, had preferred charges against the two puisne judges, Isaac Deschamps and James Brenton, the former "a gentleman of Swiss extraction" and the other a native of Rhode Island, both "old timers."

The precise acts on which Sterns and Taylor, the legal firm in question, advanced charges of improper and irregular conduct and administration against the judges are not very definitely stated. They were brought to the notice of the people generally by a letter from Jonathan Sterns, the senior member of the firm, and who may be regarded as the chief accuser, and to the notice of the House by Mr. Milledge of Digby, who moved for the appointment of a committee of investigation.

As the whole affair is often represented as a battle-royal between the Loyalist element of the population through its representatives in the House, and the older Nova Scotia stock, it is pertinent to take a glance at the composition of the legislative body by which the question is now to be threshed out.

At the recent election, held after the dissolution of the "Long Parliament," the Loyalists who had just put foot upon the soil, carried six seats. One of these, Granville, had been lost by the action of the Assembly, first in declaring it vacant, and then, when the late member had been re-elected, peremptorily displacing him by his twice-defeated opponent. Alex. Howe, who thus obtained the right to sit for Granville from which David Seabury[1] had been ejected, was a son of Edward Howe, who was so severely wounded in the Coulon de Villiers affair at Grand Pré, and afterwards so treacherously shot on the banks of the Missiquash. In the course of a year or two the Loyalist strength in the House received accessions which more than made up for the loss of Granville. Shelburne County (Shelburne and Yarmouth) was detached from Queens and awarded the usual

[1] David Seabury moved to Halifax and conducted business on a large scale, but eventually he returned to New Fork. He was a brother of Dr. Samuel Seabury, Bishop of Connecticut, whose conservation marked the beginning of the Episcopate of the Protestant Episcopal Church of the United States.

county quota of two members. The town of Shelburne and the new township of Digby in Annapolis County obtained each a representative. These four seats were all filled by Loyalists, giving the Loyalist interest nine members of the thirty-nine composing the House.

The House "in Committee of the Whole" investigated the charges of Sterns and Taylor, and examined Sterns, "who was heard at great length in his account of several cases tried in the Supreme Court, in order to prove the mal-conduct of the judges." Mr. Taylor handed in a written statement "to the tired members." The committee simply reported the facts of the case, whereon the House, with apparent unanimity, requested the Governor to institute an inquiry into the conduct of the incriminated justices, so conducted that "the public be fully convinced of their innocence or criminality, and that they themselves may be satisfied in what they themselves have an undoubted right to expect—'a trial by their peers'."

Governor Parr's message in reply to the address embraced the following points. The complaints required a very deliberate investigation, which could not be gone into at present. Highly technical points were involved. Disputes between judges and practitioners were nothing new. Such things have often happened in England with the twelve judges. "Insinuation of a more criminal nature appears to be entirely void of foundation." The Governor does not believe that any charge of partiality or corruption in office can in any degree be imputed to them. "However, the House was assured that ample justice would be done."

At this juncture a vacancy occurred in the representation of Halifax County by the elevation of Attorney-General Blowers to the Council. Jonathan Sterns, the chief accuser of the judge, offered himself as a candidate for the vacant seat, but was defeated by Charles Morris, representing one of the oldest English families in the Province and naturally standing by the "old ways." There was much excitement at the election. One man was killed—"the Rev. Dr. Boyles, a man of great humor," who wrote some sarcastic verses, we are not told at whose expense.

The Supreme Court opened at Halifax, when Messrs. Stern and Taylor, acknowledging the authorship of certain publications in the

public papers printed by John Howe[1] on the 6th, 13th, 20th and 27th March, reflecting on the judges, the Chief Justice (Hon. Deschamps) stated his name in full and struck them both off the roll of attorneys."

A few days later, Lieutenant-Governor Parr presiding, the Council in view of "several printed publications, highly reflecting on the Governor and Council, signed 'Sterns and Taylor, attornies at law,' ordered that, the said attornies shall no longer be admitted to appear before them on any business in that capacity." The disbarring of Sterns and Taylor and their future exclusion from intercourse with the Council did not, however, settle the matter so far as the Assembly was concerned.

FIRST PARTY DIVISIONS.

Murdock thinks that this was "the period when party divisions were first experienced in Nova Scotia." He points out that "two old gentlemen (judges) both highly respected and eminently loyal were attacked," and that Mr. Sterns who led this attack was "one of the Loyalists recently settled here." He interprets the whole impeachment matter as but one sign of an extensive friction between the Loyalists and the old inhabitants. There are some facts and considerations which tend to show that his picture is somewhat overdrawn. It must be borne in mind that in connection with the impeachment matter there is nothing to suggest that the Nova Scotians of older planting were in any way obstructing the laudable ambitions of the Loyalists. If Sterns was a Loyalist, and if his chief supporters in the Assembly were Loyalists, so far the demand for an investigation had not been formally opposed. Sterns had some staunch supporters in the old New England element. Singularly enough a sentence written by Murdock to illustrate and sustain his interpretation of the impeachment episode followed another tending to upset it. We read "An anonymous correspondent of the Nova Scotia *Gazette* at this time alludes to it as a division into 'Old comers and New comers'—or 'Loyalists and ancient inhabitants'." Of course such a division existed; it could not be overlooked. A part of the population traced descent from early settlers of various stocks, a part had but recently arrived and was just beginning to take root. This

[1]Father of Joseph Howe.

obvious fact does not conclusively sustain the historian's view of the procedure against the judges. The following sentence is the immediate sequel to the one quoted: "On the 8th of April, Jonathan Crane and Elisha Lawrence, members of Kings County, and Benjamin Belcher, the member for Cornwallis, addressed a memorial to the lieutenant-governor, stating the disbarring of Messrs. Sterns and Taylor, as if it were for having given their evidence before the House of Assembly, and praying that they might be restored to practice." Crane, Lawrence and Belcher, who thus intervened in Stern's behalf, and who sustained the impeachment policy throughout, were all of New England stock, Crane being of New England birth as well. The Governor's answer was that the attornies "had been struck off the roll for the publications in the newspapers and not for the evidence given the House" and on the "advice of the Attorney and Solicitor-General." The Attorney-General who had thus advised was Sampson Salter Blowers, the most distinguished Loyalist then in Nova Scotia. The Solicitor-General was Richard J. Uniacke.

The House for some reason did not meet in 1788. When it met in 1799, Richard J. Uniacke was chosen Speaker in succession to Blowers, who, as we have seen, had left the Assembly for the Council. As Speaker Mr. Uniacke took no part in the memorable "impeachment" debates that were to follow. The deputy secretary of the Province presented to the House the following message from the lieutenant-governor answering in more precise terms than the one in 1787, the address of the Assembly praying for the invetsigation of the judges: "In consequence of your address to me in your last session that enquiry should be made into the conduct of the judges of the Supreme Court, on several charges which had been brought against them for misbehavior in office, I accordingly with His Majesty's Council proceeded in that enquiry and called on the judges to answer,, which having been considered, together with the several allegations brought in support of such charges, I did, with the unanimous opinion of the Council, agree that the charges against the judges were not supported by the proof which accompanied your address. The whole of the proceedings have been long since transmitted to His Majesty's Minister, but I have not yet received any answer thereto."

A division was taken as to whether this message was, or was not,

satisfactory to the House. By the narrow majority of one it was declared to be satisfactory. Of the thirty-eight members of the House exclusive of the Speaker, only twenty-nine voted, the division standing fifteen to fourteen. Of the eight Loyalist members, seven are recorded in the negative, Delancy of Annapolis being absent or paired. The remaining seven were made up of Day of Newport, for which township the impeached judge, Deschamps, had sat for nearly twenty years, and who had himself come over with Cornwallis; Crane for Kings County (his colleague, Lawrence, is not recorded); Belcher of Cornwallis, Archibald of Truro, and Schwartz of Lunenburg, Tonge of Hants and McMonagle of Windsor. As all the Halifax members, and two of the three Lunenburg members voted in the affirmative, the Loyalists had with them a majority of the members actually voting from New England constituencies. The names of the members for Queens County (2), Yarmouth, Barrington, Annapolis, Kings County (1), Londonderry and Amherst, are not included in the division list.

Notwithstanding the verdict of satisfaction with the lieutenant-governor's message, the matter now was not allowed to drop. The next step was a motion proposed by Isaac Wilkins[1] of Shelburne, and seconded by Major Barclay of Annapolis County, that "an humble and respectful address be presented to his Excellency the lieutenant-governor that he will be pleased to remove from his presence those evil and pernicious councillors, until his Majesty's pleasure shall be known." This was a sort of duplex proposition. It transferred the attack from the judges to the Council and made the Council a convenient substitute for the Governor, on whose back the lash was really to be laid. It is not clear how the House could with any degree of consistancy adopt a motion of such a character. It was opposed not only by out and out anti-Loyalists like Alexander Howe of Granville, but by moderate men like Mr. Day of Newport, who "was of no party, and never would act under the influence of a party, but would on all occasions give his vote according to what appeared to him most for the welfare of the country. He should, therefore, give his negative to the motion before the House." During

[1]Isaac Wilkins was a lawyer of Westchester, New York, who came to Nova Scotia as a prominent member of the Shelburne immigrant body. After spending some time in Nova Scotia, he returned to New York and took orders in the Protestant Episcopal church. His son, Lewis Morris, remained in Nova Scotia and sat on the Bench, as did a grandson of the same name who is still remembered.

the debate on that motion Wilkins and Barclay made much of the alleged inconsistancy of Blowers, who had while Speaker, tacitly but strongly thrown his influence in favor of investigation and impeachment, but as councillor had now declared the charges to be without foundation, and that on a purely *ex parte* inquiry.

Alexander Howe[1] declared the stand taken by Wilkins and Barclay to be practically rebellion. Barclay retorted that they were not praying for the dissolution of the Council but for the dismissal of councillors, a course abundantly justified by British precedent. The motion received support, outside of the seven Loyalist members—Colonel De Lancy of Annapolis had received an appointment in the Bahamas and his brother James had not yet taken his place—from but two members, Belcher of Cornwallis, and Collins of Queens.

This side attack having failed, Barclay of Annapolis formally presented thirteen articles of impeachment against the judges, Deschamps and Brenton. He took the ground that the so-called acquittal by the Council, sitting with closed doors, and without one side to the issue being either heard or represented, had done nothing to allay the discontent of the Province relative to the administration of justice. Accordingly he preferred certain charges against the judges of the Supreme Court for their inspection and consideration to be by them (the House) adopted as articles of impeachment, if well grounded: and he begged leave to move that in case those charges were accepted by the House, an humble petition should be presented to His Majesty accompanied with a copy of the impeachment and prays His Majesty to institute a court for the trial of the judges."

The Speaker (Uniacke) suggested proper modes of procedure, and recommended calm and careful deliberation. A brilliant debate ensued. Mr. Hill of Halifax respected Mr. Sterns and wished to see him restored to practice, but this impeachment proceeding would revive rancor and throw the country into confusion. Mr. Marchinton, a resident of Halifax, but representing the Loyalists and Yorkshiremen of Cumberland, urged inquiry: "This matter had not been like a candle set under a bushel, but as a light set on a hill, which light had shone through the adjoining Provinces and through the Kingdom." Mr. Marchinton "wished our courts might shine like lustre,

[1]Not in any way related to the family of the yet unborn "Tribune of the People," but whose father nevertheless had printed Jonathan Stern's calumnious letters.

and do honor to the Province, but for a long time past there had been a dark cloud hanging over the land and the practice of it." Major (afterwards Colonel) Crane took the same side; if charges were instituted against him of which he was innocent he would court investigation. Wilkins (Loyalist) and Belcher (New Englander) followed on the same side. Mr. Hill again broke a lance in favor of the judges. They had already been tried and acquitted. He was answered by Milledge, Crane and McMonagle. Mr. Dight,[1] one of the members for Cumberland County, was the last speaker against Barclay's motion to initiate impeachment proceedings.

The motion was adopted by a vote of ten to seventeen. The Loyalists voting in favor numbered nine. The seat for Annapolis had been filled by the election of Capt. James DeLancy, while Gideon White, a Shelburne Loyalist, had now replaced Joseph Aplin at Barrington. The minority list included besides the five Halifax members (Uniacke; the sixth was in the chair) only Jessen of Lunenburg, DeWolfe of Hants (Deschamps' next door neighbor), Dennison of Horton, Northup of Falmouth, and Dight of Cumberland.

The minority had still a shot left in their locker. Mr. Pyke of Halifax moved to limit the charges of impeachment to new matter, and strike out those on which the judges had already been acquitted by the Council. Major Barclay had no difficulty in rebutting this amendment, which received but eight votes, two at least of the Halifax members—Fillis and Morris—going against it.

So far as the Assembly was concerned, the end was now in sight. By varying majorities of nine to twelve, the House adopted articles of impeachment, and reported a committee of which Barclay was chairman. The Governor was requested to suspend the judges against whom such action had been taken. Failing to secure from his Council assent to this proposition the Governor felt compelled to officially negative it. Isaac Wilkins of Shelburne and Lawrence of Kings County, were appointed to act with Mr. Cumberland, the Provincial agent in England, on such unrelated matters as the impeachment of the judges and obtaining a grant for the College at Windsor. When matters connected with his charges were in such a stage of ripe development, it is somewhat surprising to find Jonathan Sterns, bar-

[1]John Butler Dight obtained leave to assume Butler as a surname. John Butler Butler was father of Colonel E. K. S. Butler of Martock, Windsor, whom some living still remember.

rister-at-law, "apologising for irregular conduct and praying to be admitted to the practice of his profession in those courts where the lieutenant-governor presides or sits as judge." It is not surprising to find that the only satisfaction just then obtained was to be assured that "the same was taken into consideration." The proverbial "law's delay" dragged along in fine style. "His Majesty directed that articles of impeachment against the judges should be heard and determined before the King and Council." The incriminated judges got leave to take evidence for their defense in the Province and transmit same to England. *Per Contra* the House resolved that "Messrs. Barclay, Sterns and Foster Hutchinson, Jr., be appointed to cross-examine the witnesses produced for the defence."

ECONOMY OF THE COUNCIL.

The Council had an eye to economy. When the House voted two hundred pounds to pay Council and other charges in England, the Council negatived this vote on two grounds; first, there was no information of expense actually incurred, or likely to be incurred; secondly, the Council had not concurred in the appointment of gentlemen to cooperate with Mr. Cumberland in carrying on the impeachment. Having received this rather staggering blow, the Assembly was prorogued. The issue of the whole matter of the impeachment was announced in the *Gazette* of Tuedsay, September 11, 1792: "The Committee of H. M. Privy Council, before whom the charges exhibited by the House of Assembly against the assistant judges of the Supreme Court have been heard, have reported to his Majesty, that after a mature consideration of the subject, they cannot find any cause of censure against these gentlemen, and have fully acquitted them, which report his Majesty has been pleased to confirm."

A careful reading of the deliberations of the Assembly during the three or four sessions that the impeachment question was at the front does not strikingly confirm Murdock's view—and indeed the general view—that it was primarily an outward sign or outgrowth of an inward antipathy between the two leading classes of Nova Scotians. Whatever may have been its primary impulse, Murdock himself leaves testimony to the fact that the general effect of the

long drawn out controversy was to bring the representatives of the earlier and later immigrations into nearer and better relations.[1]

The selection of Isaac Wilkins or Elisha Lawrence to protect the Assembly's interests before the Privy Council suggests anything but strife between the new and the old. Pretty soon we shall see Jonathan Sterns head the poll in Halifax, and Thomas Barclay unanimously elected Speaker in the House not containing more than nine or ten of his fellow Loyalists. Anyway, the impeachment debates opened up a new era in our parliamentary oratory.

Just what grounds there may have been for Sterns's charges against the judges cannot be pronounced on with absolute certainty. Still the testimony tendered in their support carried conviction to the minds of too many independent men to permit us to assume that they were entirely without foundation. It would be uncharitable to assume that there was anything in the conduct of the judges which could not be accounted for by incapacity and thoughtlessness. Such personal pleas as that it would be an "unfriendly" if not cruel act, to deprive men of their bread in the decline of life—men who could not live many years longer—who had large families to struggle for, and who had served the public in different offices for many years, on charges of, at most, errors in judgment in one or two trifling occasions," really prove that grounds for complaint did exist. Deschamps was a patriotic and loyal man no doubt, but as a most decided pluralist attempted too many things to allow any of them to be done in a really efficient manner. At one time—perhaps it has already been

[1] "In our legislative body, much talent had been displayed. The flowing sentences and racy humour of Uniacke—the elegant astuteness and vigour of Barclay—the earnest and skilled arguments of Isaac Wilkins and Colonel Millidge, and the ready powers of debate evinced by Charles Pyke, Crane, Freke Bulkeley and others, gave the House of Representatives a weight and charm in 1789 and 1790, that has been only twice or thrice repeated in succeeding years; and the zeal and energy of Cottnam Tonge in the pious efforts to support the interests of his persecuted father was a precusor signal of Nova Scotian oratory.

Of the distinguished men of the Assembly Crane, F. Bulkely and Pyke were native Nova Scotians, certainly the two last were. Crane I can remember as he appeared in the House twenty years later—a tall handsome man with fluent speech and an amazing readiness of natural wit and illustrative power. In short, I think, that this was one of the happy and halcyon days of Nova Scotia. The hetrogeneous elements of which its population were composed now settling down into good neighborhood and harmony. Old grievances and hostilities had died out, and the only fancy line of division was owing to fretfulness of lawyers who were unsuccessful in some of their litigated suits."

Colonel Jonathan Crane was a native of Connecticut, and came, a child of six or seven, with his parents to Horton, in 1759. One of his sons, the Hon. William Crane of Sackville, New Brunswick, was for many years one of the most influential public men of the neighboring Province.

stated—he filled simultaneously the following positions, member of the Assembly, for Newport, clerk of the Assembly, assistant judge of the Supreme Court, and judge of Probate for Hants County. He had practically no legal education and the judgments of such a wearer of the ermine must have seemed ridiculous to well trained members of the New York Bar like Millidge and Barclay. He held his seat on the bench until his death in 1801, fourteen years after the above plea of old age was urged in his behalf. Brenton continued to dispense justice a good many years longer.[1]

THE LOYALISTS AND THE CHURCH OF ENGLAND.

As this volume contains historical sketches of the principal religious denominations of churches, of the Province, furnished by writers representing each respectively, it is not thought necessary to interweave into the narrative the details of our provincial ecclesiastical history. Yet there may occur pivotal periods, periods when what is primarily a denominational matter, presents features of general, or even universal, interest. Such a period was the coming of the Loyalists to Nova Scotia. That event may be set down as, if not the primary cause, at least a prominent concurrent cause of the complete organization of the Church of England in British America.

At the outbreak of the Revolutionary War in 1775, the national church notwithstanding its numerical preponderance in Halifax, had worshipping at its altars much less than half of the population of the Province. Outside of the church edifices built by the government at Halifax and Lunenburg, it is not known that it had a consecrated house of worship, except at Windsor, Annapolis and possibly Cumberland Point. Nor was there then in sight any accession to the provincial population likely to reverse, or materially alter, the existing proportion. The Acadian repatriation process was but fairly beginning to show its effects in swelling the adverse balance. The church had no reason to expect a single new adherent from the current of Scotch immigration, which though not yet at half flood was depositing settlers in Pictou and Antigonish. Even of the Yorkshire immigrants few ranged themselves under her banners. The

[1]James Brenton, when a junior member of the Rhode Island Bar, came to Halifax at a very early period. In the election of 1765, he was elected to the Assembly as member for Onslow. In 1778, he was appointed Solicitor-General, and less than a month afterwards, Attorney-General. In 1781 he was raised to the Supreme Court Bench *vice* Assistant Judge Morris deceased.

majority brought with them to Cumberland the memories of John Wesley, who had preached in their chapels, whom many of them personally knew and whose letters to one of their number[1] ("dear Billy") are prized as sacred relics.

In the settled parts of the Province, the prospect of the church of the nation ever becoming the church of the people was gloomy indeed. At Lunenburg, government support, the influence of estimable English officials like John Creighton, liturgical affinities, and zealous missionary effort had built up a highly respected cause, but even there the bulk of the people adhered to the old ways, while some evinced a disposition to wander off to the sectaries. In Windsor, whose whole territory had been disposed of to large landed proprietors, everything was promising so far as the lords of the manor, the Francklyns, the Tonges, and the Deschamps were concerned, but the Ulster farmers counted as pure gospel only that which fell from the lips of James Murdock on his occasional visits. In the New England townships, ten in the peninsula and three on or beyond the Isthmus of Chignecto, Puritan Congregationalism held everything in the firmest of grasps. If there were exceptions they only served to emphasize the main fact; a few old families like the Winnietts at Annapolis; an English family or two in Cornwallis or around Fort Cumberland; four or five Rhode Island Churchmen in Newport. As for Truro and Londonderry, nowhere was the outlook so discouraging.

One of the results of the Loyalist immigration was to work a complete revolution in the prospects of the church in Nova Scotia, whether taken in the original sense, or the narrower one as determined by the partition. As to the new Province of New Brunswick, the church was in complete possession except so far as the Acadian population and the three townships of Cumberland, Sackville and Maugerville were concerned. She had there twelve thousand attached followers—bound to her inseparably by the ties of common hardships and sufferings. In the peninsula, if our calculation that the Loyalist element transcended all others put together are correct, the prospect was scarcely less gratifying and assuring. Halifax, strong already, was now much stronger, not so much by the mere fact of numerical increase as by reason of the character of the new

[1]Rev. William Black.

increment. To have the influence of the church strengthened at headquarters by the incoming of scores of men, typically representative of all that was good in business and the professions, and qualified many of them by special training to take the lead in her enterprises, was something to drive away despondency from every true churchman's heart. And this was not the experience of Halifax alone. Wherever the Church of England already had a foothold, however slight and partial, she found herself immeasurably strengthened by men of this character whom the Loyalist expulsion had brought to her aid so unexpectedly and providentially. Then there was the sympathy of numbers, to say nothing of the prospect of expansion. The Loyalist immigration was not composed of mere driftwood, "the flotsam and jetsam" of a stranded cause, they were men who counted no price too dear to pay for the maintenance of the principles which they held dear, and who had grown stronger by sacrifice and self-denial. The term "disbanded soldiers" as used to describe large groups of the immigrants, if left unexplained, is likely to mislead. The regiments "reduced"—such was the phrase—in Nova Scotia were not troops of the line made up of "dear knows who"; they were a portion of the twenty-five thousand loyal men of the Provinces who had voluntarily drawn the sword for their King in the revolutionary struggle. Those who had at this parting of the ways the shaping of the Church of England's future in Nova Scotia in their hands, wisely determined to complete her organization, to give her a head, and not to continue the paradox of an Episcopal Church without a bishop.

The bishop chosen for the new diocese of Nova Scotia—the first of colonial dioceses—was the Reverend Dr. Inglis, ex-rector of Trinity Church, New York, and an exiled Loyalist himself. Though consecrated (August 12, 1787, at Lambeth) Bishop of Nova Scotia, his jurisdiction extended over the Provinces of Upper and Lower Canada, New Brunswick, Prince Edward Island, Bermuda and Newfoundland. Upper and Lower Canada were first lopped off, then New Brunswick, then Bermuda and Newfoundland. He was made a member of the Council, a body combining both legislative and executive functions. Though intended to do him honor and increase his power for good, there is every reason to believe that this appointment was really and seriously detrimental to the interests which it was intended to promote. A spiritual peerage did not suit the atmosphere

of Nova Scotia. Dr. Inglis's diary which has been preserved and partially brought to light is a record of truly apostolic travel and toil, and contains incidental touches of pathetic interest. Of his first visit to Digby he records of the congregation gathered for worship in the little church, that it was mainly composed of his old New York parishoners at Trinity. It was much to his convenience that the original Loyalist settlements in New Brunswick were planted either on the shores of the bay or on the banks of the river. A thoughtful friend in St. John furnished him with a boat and a boatman, whereby he was enabled to visit all his parishes by water. Roads, there were none. Following the example of the Halifax gentry and "upper folk" of the day, he established for himself a beautiful country seat in Aylesford, a spot chosen no doubt because of its proximity to the homes of the Bayards, De Lanceys, Barclays and other of his old New York parishioners and neighbors, and where he interested himself in horticulture and fruit raising. The "Bishop Pippin" apple perpetuates his memory.

The historical sketch of King's College published in this volume will show how close was the connection between the advent of the Loyalists and the founding of that historic institution.

CHAPTER X.

LEGISLATION FROM 1794 TO 1799—DISSOLUTION OF ASSEMBLY AND GENERAL ELECTION OF 1799—MAROONS COME FROM JAMAICA, PRINCE EDWARD.

The Assembly elected in 1794 and whose period extended to 1799 is not particularly distinguished in our parliamentary annals by records of eloquent speeches and skilful debates. The amount of useful legislation put upon the statute book was, however, quite striking. All the acts passed were naturally if not of equal importance, but they generally indicate a desire to subserve economic ends. Now that lamb and mutton have become luxuries, we recognize the sound sense of the Legislature of 1794 whose first measure was "An Act for the preservation of Sheep." Of like, though perhaps, less important character was "An Act for the preservation of Partridges and blue winged Ducks." "An Act to regulate the packing and inspecting of salted beef and pork," contains provisions that might do no harm if put in force today. "An Act to regulate the as-size of Bread," would, we fear, be found too minute in its details to prove of much service now. Its object was to secure for the consumers of the staff of life full value for their money. "An Act to regulate the exportation of red or smoked herrings," showed that in the opinion of the House of 1798, fishermen as well as bakers needed watching.

A revision, or consolidation, of the previous Militia law of the Province covers many pages and is very minute in its provisions. It enacts that Quakers who are exempt from training on the several prescribed days shall from the age of twenty-one to fifty work for four days on the public highways. There are long Acts treating of the public health, of aliens, and of the provision for the poor by the respective townships. The latter Act remained in force until the establishment of the County Council System in 1882. Some of the special Acts, aiming at the accomplishment of particular objects, were evidently dead letters from the beginning, for instance the one

authorising Jonathan Tremaine to construct a bridge of boats across Halifax Harbor. Two of this class, on the other hand, deserve mention, as reflecting much credit on the Legislature that passed them. One was "An Act to provide for the support of the Grammar School in Halifax, and for other public purposes therein contained." This Act imposed an additional duty of three pence per gallon on wine hereafter imported. Out of the sum raised by this additional imposition in Halifax one hundred and fifty pounds were to be applied to the Grammar School which institution had previously no particular fund devoted to its support, the surplus to go towards the support of the poor. When the increase of duty did not yield the sum named, the deficiency was to be supplied "from monies arising from duties on licensed houses." Monies collected in the out-ports by reason of the additional three pence per gallon were to be supplied by the justices of the peace for the support of public schools or "other public beneficial purposes." To the other Act, to which reference has been made we owe the noble buildings in which the Provincial business is transacted, and in which the Governor of the Province resides. "An Act for appointing Commissioners to determine upon a proper situation, in the town of Halifax, and to purchase lots of ground, if necessary, to erect a public building, for the accommodation of the Assembly, Court of Chancery, Supreme Court, and Court of Admiralty, and public offices, and for procuring plans and estimates for a building hereafter to be erected for the residence of the Governor, Lieutenant-Governor or Commander-in-Chief, for the time being."

This Act contemplated that the new residence for the Governor should be erected on the site of the old one, the lot enclosed by Hollis, Granville, Prince and George streets, on which the Province Building now stands; and that the commissioners appointed under it should select a site for the buildings needed for provincial purposes. An amendatory Act reversed the order in which the proposed structures should be erected, as well as the matter of sites for same.

On October 11, 1799 the Assembly was dissolved. The interest at the ensuing election centered chiefly in the contest for the four Halifax County seats. Two of the members elected at the previous general election had died and their places filled by new men. Charles Morris replaced J. M. Freke Bulkely, and James Stewart[1] Jonathan

[1]Afterwards solicitor general and judge. He was a Loyalist and was not a family connection of Alexander Stewart to be noticed later.

Sterns. At the Dissolution of the Assembly, the four members were Wallace, Hartshorne, Morris and Stewart, all eminently agreeable to Lieut. Governor Wentworth. They, with the two town members, Cochrane and Pyke (who were re-elected) united in a joint card, "offering their services again." William Cottnan Tonge of Windsor, a free lance, and having no freehold in the County of Halifax, picked up the gage in the following address to the Electors.

"To the Freeholders of the County of Halifax:

Gentlemen—Without family connections, particular interests, or any influence but that arising from public opinion, but encouraged by the request of many respectable members of your body, I beg leave, with great deference, *singly* to offer myself as a candidate to represent you in the General Assembly. On your opinion of my political conduct, which has passed within your immediate observation, I rest my hopes of success. Should this have acquired your approbation, and should I be honored with your confidence on this occasion, I have to assure you that I will never swerve from those principles which have invariably directed me. I remain, gentlemen, with sentiments of respect, your most obedient servant,

"W. Cottnan Tonge.

"Halifax, 22nd October, 1799."

A second card from the other candidates denied combination, and explained that the joint card method of address had been adopted to convenience the printer, who had *rush* matter awaiting the types —the announcement of Adrimal Mitchell's victory over the Dutch fleet.

As is well known, the Districts of Colchester and Pictou (previously Walmsley) were included in the County of Halifax. Hitherto these ports of the county had taken little part in Assembly elections. Colchester, largely from lack of interest, as she had three township members to look after her local interests—and Pictou, from lack of population. But now of recent years a great tide of new settlers had poured into Pictou, so that the freeholders in the districts probably equalled in number those in the city. Pictou had a strong candidate to present, and without difficulty secured the co-operation of Colchester. Whatever might have been said regarding formal alliances, the forces really arrayed against each other were the four former members, all Halifax men, on the one side, with Tonge, Mortimer

of Pictou, and Fulton of Londonderry (whose total vote in 1794 was but 24) on the other. An analysis of the voting is not without interest. The city poll, taken first, stood: Morris 756, Stewart 621, Wallace 596, Hartshorne 578; Tonge 392, Mortimer 109, Fulton 86. At the close of the two days' polling in Onslow the figures stood: Morris 782, Stewart 626, Wallace 636, Hartshorne 597; Tonge 889. Fulton 603, Mortimer 621. The poll was kept open at Pictou for no less than eight days. The final results were: Tonge 1,257, Mortimer 1,077, Fulton 1,001, Morris 1,000; Wallace 888, Stewart 627, Hartshorne 605. Stewart got the 5 votes in Colchester and 1 in Pictou; Hartshorne 19 in the former and 8 in the latter. From this time until the erection of Colchester and Pictou into separate counties, these districts almost invariably determined the results of general elections for the County of Halifax, and always secured the return of their own nominees.

The members returned for the Province were:

County of Halifax: William Cottnan Tonge, Edward Mortimer, James Fulton, Charles Morris.

County of Annapolis: Thomas Millidge, James Moody.

County of Lunnenburg: Casper Wollenhaupt, Lewis Morris Wilkins.

County of Cumberland: Thomas Roach, George Oxley.

County of Kings: Jonathan Crane, William Allen Chipman.

County of Queens: Richard John Uniacke, James Taylor.

County of Hants: John McMonagle, Shubael Dimock.

County of Shelburne: George Gracie, James Cox.

County of Sydney: Joseph Marshall, William Campbell.

Town of Halifax: William Cochran, John George Pyke.

Town of Truro: Simon Bradstreet Robie.

Town of Onslow: Daniel McCurdy.

Town of Londonderry: Samuel Chandler.

Town of Annapolis: Phineas Lovett, Junior.

Town of Granville: Edward Thorne.

Town of Digby: Henry Rutherford.

Town of Lunenburg: John Bolman.

Town of Amherst: Thomas Lusby.

Town of Horton: Joseph Allison.

Town of Cornwallis: Lemuel Morton.

Town of Liverpool: Joseph Barss.
Town of Windsor: George Henry Monk.
Town of Falmouth: Jeremiah Northrup.
Town of Newport: William Cottnam Tonge.
Town of Shelburne: Colin Campbell.
Town of Barrington: John Sargent.
Town of Yarmouth: Nathan Utley.

When the newly-elected House met, Millidge, a pronounced Loyalist, now representing the County of Annapolis, nominated Uniacke as Speaker. To show still further to what extent the old vision line in the Assembly had been obliterated, his Loyalist colleague, Moody, put Tonge in nomination. Uniacke was elected, by how large a majority is not recorded. Tonge's seat for Halifax was protested on the ground that he had no freehold in the county. It was declared vacant by the House and was filled by the election of Michael Wallace. James Kent, presumably of Colchester, was nominated as well as Wallace, but retired before the polling was completed, having received but 7 votes in the city at the close of the third day.

WENTWORTH'S HOSTILITY TO TONGE.

The parliamentary history of Nova Scotia for the remaining eight years of Sir John Wentworth's term is deeply tinged by his hostile animus towards W. Cottnam Tonge. Evidences of this bitter feeling had previously appeared, but to Sir John, Tonge's interference in the Halifax election was an unpardonable offence. It was never forgotten, never forgiven, though possibly some personal reason, which history has not disclosed, existed to explain, if not justify, the Governor's implacable resentment. After the convening of the Assembly, Wentworth refers to the situation in a letter to the Secretary of State: "I am in hopes we shall have a good Assembly, although infinite and certainly unnecessary pains have been taken to exclude several old respectable members, to produce a contested election, whence a warmth and bad temper often arise." * * * In the County af Halifax, comprehending great strength and population, he has persisted in a contest, although he was elected for Newport. The only object was to disturb the peace and harmony of the country, by the tricks, falsehoods, and follys used in popular elections. * * * It is daringly opposing the King's government to create jealousies and embarrass the duty of the King's servants, even,

if possible, from the representation where their official knowledge is highly requisite."

It will tend to convenience to disregard the chronological order of events and briefly recapitulate the prominent points in this particular Assembly's history extending from 1800-1806. Prevailing throughout was constant friction between the Assembly and the Council on money matters. The House wished to secure the passage of certain appropriation bills, before passing the bills providing for the raising of the money. The debates were long and acrimonious, a respectable sized majority of the Assembly supporting the Council were largely under the influence of either solicitation or pressure from the Governor, who completely identified himself with the Council in all matters at issue between it and the Assembly. This was a perfectly natural state of affairs, inasmuch as the Council in its legislative proceedings was composed of the same men as privy-councilors were the executive advisers of the Governor. The system was essentially a bad one, liable to issue in trouble, even when the Governor was free from prejudice and intent only on the public good, but with such a functionary as Sir John Wentworth, full of violent antipathies and prepossessions, and bound to have his own way, a deadlock was almost inevitable. He wrote Lord Hobart that while the session had opened with gratifying prospects of harmony and unanimity Tonge had thrown everything into confusion by his efforts to stir up party strife. Nor does he confine his animadversions to Tonge. The opposition to the wise measures of himself and the Council had been "increased by the addition of William Campbell, Esquire, His Majesty's Attorney General, Councillor, and coal contractor, of the Island of Cape Breton, who has signalized himself in this reprehensible opposition. The gentleman thus severely arraigned was one of the members from the County of Sydney (now Guysboro and Antigonish). He soon left Nova Scotia, where he became a judge in 1811, and chief justice in 1825. A knighthood was conferred on him in recognition of his services and abilities. It is somewhat of a vindication for Tonge to be bracketted in censure with such a man. An actual deadlock came in 1804, when the Council, supported and probably directed by the lieutenant-governor, deprived the Assembly of jurisdiction over the small amount of revenue which the constitution of the day accorded it.

When the Assembly met in 1805 a letter was read from Mr. Uniacke, the Speaker, explaining that he was away on six months' leave of absence, and asking the House to choose a *pro tem* Speaker. For this position Mr. Tonge was chosen over Mr. Pyke, of Halifax, and proceeded to address His Excellency Lieutenant-Gvernor Wentworth in terms as courtly as though their previous relations had been friendly and agreeable. At this session the Assembly was informed that the Lieutenant-Governor had moved into the new Government House, and that the law which gave them the old one for Assembly, Courts and Public Offices might now be acted on. The House and Council agreed to change their quarters. A session which opened with signs indicating some degree of conciliation between the Governor and Tonge, ended with the personal breach made wider than ever. As Tonge was in the chair, he was able to give his friends on the floor a better chance to fight than Uniacke had ever given him. Wentworth and the Council had to capitulate. The Speaker *pro tem* wound up the session as follows: "May it please your Excellency, it is my duty to present to your Excellency, for your assent, the bill for appropriating the supplies granted during the last and present sessions. They are liberal beyond example, and I trust, will fully produce the desired effect of promoting the prosperity of the Province." The Governor replied: "It is with unusual pleasure I find it in my power to close this too long protracted session, with assurances that the very extensive grants you have made shall be faithfully applied as far as the means may enable me, which are diminished already by a loss of nearly one-third of the revenue of the current year, by *your detention of the bills to so late a period which I am sorry to observe, operates to the detriment of the many in favor of the few.*" Tonge had triumphed after all. Sir John tried to make the best of it. He wrote to Lord Castlereagh that "Tonge exerted every possible means to protract the session, to infuse and disseminate groundless jealousies and discontent into the minds of the people, to embarrass and retard the business of the people, and if possible to prevent any grant or revenue to His Majesty, which by one means or other, were delayed until nearly one-third of the net revenues were lost by importations during the time and the revenue bills ceased. However the revenue bills were at length revived, and continued for the present year against every effort he could make. *The appropriation bills for the preceding session and for the present year were passed.*" In

other words in defence of its own rights the House hung up the revenue bills until the appropriations were assured. The Governor did not think it beneath him to plainly charge the majority in the Assembly with prolonging the session for the sake of an additional "ten shillings per diem," and Tonge in particular with presenting "the uncommon case of opposition to the King's interests from the chair, where his incompetency to the decorum and duties of the situation became manifest, and forgetful of his enjoyment of a beneficial appointment under His Majesty." Tonge, it is further charged, was in the habit of "dispensing calumnies, reports and discontents." Still another ground of accusation, Tonge was charged with "commencing an attorney," something deemed "improper" and as "adding to his means of insinuation." The explanation of this rather cryptic charge is found in the fact that Mr. Tonge, who though a lawyer by profession, had seldom appeared in court, as at that particular time was somewhat actively engaged in legal practice.

Sir John's fear, according to Murdock, was that Tonge's "success as a forensic orator might strengthen the popularity he enjoyed."

DISPUTES BETWEEN COUNCIL AND ASSEMBLY.

Jurisdictional disputes between the Council and Assembly, though not unknown from the earliest organization of parliamentary institution, did not become the order of the day until the governorship of Sir John Wentworth, who himself did much to provoke and accentuate them by the character of the appointments to Council which he recommended and by the vehement energy with which he took up the cudgels for the Council whenever one of the constitutional wrangles occurred. As the differences between these parliamentary bodies are to constitute for the ensuing forty years the main feature of the political history of Nova Scotia it may be well to take a glance at the composition and average personnel of the Council in Sir John's day. It consisted nominally of twelve members appointed by the Crown, generally, but not necessarily, on the nomination of the Governor. Ordinarily one or more vacancies existed. A councillor performed two essentially distinct functions. The Council was a branch of the Legislature without whose concurrent action not a single statute could be enacted. As such, it was presided over by a senior member called the president; when convened by the Governor

as an executive body the Governor himself was in the chair. A remarkable feature of these early Councils was the predominance of office-holders among the members. The fact that there was no age limit naturally kept a number of the members of the board for many continuous years. Sir John, however, in his recommendations seemed to put a premium, irrespectively of age, on men who had most recently taken up their residence in the Province. Murdock animadverts with very proper severity on the practice of making councillors out of gentlemen who had just come into the country to fill civil and military offices in the gift of Downing Street. He thinks it obvious that "while the members of Council filled the double occupation of legislative and executive administration, sitting in private seclusion in the exercise of both functions and thus exercised an almost unlimited control of public affairs, they should at least have been connected with the country by long residence or birth, in order to insure anything like a reasonable and just course of action." The ministry at home, anxious to keep apprised of the attention paid to their duties by the respective councillors required Sir John Wentworth to submit annually a report bearing on the subject. One of these rather curious documents is reproduced in the appendix. It illustrates also the strength of the official element in the Council. It will be noticed that in the report Richard Bulkeley is incapable of attending Council on account of his great age and infirmity. Mr. Bulkeley died a few months after this report was sent, having been a member of the Council for forty-five years. His high character and meritorious services demand a brief tribute. It is true that he was a decided pluralist and that some of his official positions were very lucrative, or at least occasionally so, such as the judgeship of Admiralty in war time, and the commissionership of Escheats and Forfeitures when land was wanted for settlers. He was a good servant of the public, however, even if he did fill a variety of official posts at the same time. To Sir John Wentworth's report on the regularity with which the councillors attended to their duties will be found appended a statement of the important positions held by Mr. Bulkeley. Two of these, the Vice-Admiralty, judgeship and the commissionership of Escheats, he retained to the end of his days. Important cases in the Vice-Admiralty Court were tried by him as late as 1798, when some thought they should have been submitted for consideration to some

younger and more vigorous man. We learn that nine captains of the Royal Navy whom he condemned for impressing seamen in contravention of the provincial laws complained that his decisions were contradictory and that the place of trial being a private house was inconvenient and lacked the solemnity proper to a tribunal of justice. However old and infirm the venerable Vice-Admiralty judge may have been, he was able to put up quite a strong defence. "The aggrieved officers have the usual and established remedy of appeal. In respect of the place in which the court is held although the house[1] is mine, on such occasions it is made public. The room is 24 feet long by 18 feet wide, with a spacious hall; the door always open, and free of access to all persons, whether they have business at court or come through curiosity and every convenience afforded."

Judge Bulkeley goes on to explain that he often fails to get accommodations in the court house "by the intervention of Sessions of the Peace, Court of Common Pleas, and the Supreme Court."

VICE ADMIRALTY COURTS.

The death of Bulkeley (1800) pretty nearly synchronised with a complete alteration in the Vice-Admiralty Court system in British America. The former prize commissions of the Admiralty were generally revoked. Two Vice-Admiralty Courts were established, one in the West Indies the other in Halifax, authorised to issue process to any other colony in America, in the same manner as if the court were established in the colony to which the process issued. A salary of two thousand pounds was attached to the judgeship. There were also concurrent fees which, however, were in no case to exceed two thousand pounds over and above the salary.

The British Court of Admiralty was at that time presided over by the most distinguished man that ever adorned it. Sir William Scott (Lord Stowell) was administering—and in large part creating—the prize laws of England. An Inner Temple lawyer, named Alexander Croke, who had made the civil law a special study and practiced in Doctor's Commons stood high in the esteem and confidence of that distinguished jurist. This friendship gained for Croke the choice

[1]The house is standing yet, the oldest and for many years the finest house in Halifax, with its spacious hall and room 24 by 18. It constitutes the main portion of the hotel called the Carleton House at the south east corner of Argyle and Prince Streets. It was built of cut stone brought from Louisburg.

of appointment to one of the newly established admiralty courts in America. Croke preferred Halifax to the West Indies. The Napoleanic conflict—the Peace of Amiens did not last long—and the War of 1812 with the United States, kept him busy in his court. His ability as an expounder of international sea-laws has never been questioned. Few of his decisions were reversed on appeal. Some of them rank high among standard adjudications. He brought with him a mandamus of appointment to His Majesty's Council, with the accompanying right of ranking next to the Chief Justice. Doctor Croke was singularly unqualified for this collateral line of duty. His mind was full of antique prejudices and entirely empty of all knowledge of the people of Nova Scotia and their concerns. To say—what in a general sense is true—that he was a man after the Governor's own heart, should be qualified by the admission, that as an extreme hater of democracy and kindred breeders of sedition he left Sir John Wentworth far behind. Some of his escapades will come up for notice.

THE MAROONS.

In the year 1796 Nova Scotia received a very considerable accession of population from an unexpected quarter. The Maroon incident (1796-1800) was not the least singular episode in our Provincial history. The facts were in direct reversal of the policy which Nova Scotia had been induced to adopt at the instance of Mr. Clarkson and the Sierra Leone Company. Then colored Christians had been sent over to aid in the moral regeneration of Africa and, indirectly, in the destruction of the slave trade. Now in return for this contribution to philantrophic causes, Nova Scotia is to have landed on her own shores a large band of wild negroes, pagan polygamists, worshippers of as hideous a deity as could be found in the whole pantheon of idolatry.

For a century and a half after its conquest from Spain, the British Island of Jamaica had a standing trouble, one which increased in magnitude and unpleasantness as years went by. Many of the slaves of the old Spanish masters, who by treaty should have accompanied their masters to Cuba and Hispaniola, fled to the hill country of their own island. They established themselves there and developed a crude form of government, became in short, a quasi-independent state. The

Maroons—so called from their wild life—were, by the Governor, if not the Assembly, of Jamaica, acknowledged to possess territorial jurisdiction in certain parts of the island. Formal treaties were negotiated with them. They were to a large extent treated as an negotiated with them. Naturally friction arose. The Maroons became strong and felt their power. Predatory incursions on adjacent plantations became frequent. The Maroon ranks were continually swollen by the access of slaves fleeing from the real, or alleged, oppression of their masters. A spirit of alarm pervaded all the settlements, and soon affected the authorities at Kingston. Certain special activities on the part of the mountaineers were variously interpreted as signs of war, or signs of rebellion, and it was determined at all costs to bring the trouble to an end. Lord Balcarras, the Governor, and General Walpole, in command of the troops, did their best to accomplish this object. Ordinary methods of attack did not suffice. The Maroons were adroit handlers of the musket; their environment had developed in them a courage which was proof against all ordinary aggressive methods that might be employed against them. They fought so bravely, or retreated so skilfully—as exigency might determine—that Balcarras and Walpole made little headway in their proposed war of extermination.

At a critical juncture of the conflict, Colonel Quarrel—one of the British officers employed—happened to learn that the use of bloodhounds had been found most effectual by the Spaniards in their war with Indian tribes on the Mosquito shore. The idea was promptly taken up. Colonel Quarrel was sent to Havana, duly credentialed to the Spanish Governor, as a commissioner for the purchase of dogs, as a member of the *Legislature* and as a lieutenant-colonel of the troops. The plan worked like a charm. With true Spanish courtesy, Governor las Cacas provided the dogs, which, as might be supposed, on their landing in Jamaica made a great impression on blacks and whites alike.

At a certain experimental performance for the purpose of ascertaining the effect of a volley of musketry on the ferocious creatures, the results were such that in addition to the universal terror created, General Walpole, "Commander-in-Chief of the forces acting against the Maroons," had to get back quickly into the chaise from which he

had alighted, while only great exertions kept the furious animals from tearing his horses in pieces.

This preliminary achievement guaranteed the success of the new method of warfare. Tidings of the fierce enemy who was about to enter the lists against them soon reached the ears of the Maroon Chiefs. Capitulation—or rather an intimation of willingness to treat for terms—followed without delay. The Maroons were always ready to negotiate, whether to gain a supposed advantage, or to head off an anticipated evil.

General Walpole granted remarkably mild terms. The mutineers —if such they really were—were simply asked to get down on their knees and beg his Majesty's pardon, to keep strictly to territory accorded to them by the Crown, to give up all fugitive slaves to the masters. A secret article interpreted the second provision to mean that the Maroons would not be required to leave Jamaica. As a guarantee that in case arms were delivered up, the above conditions, open and secret alike, would be fulfilled, General Walpole bound himself by solemn oath to see them duly observed. When the Assembly in violation of the second article, and in fact of the second open one as well, proceeded to deport the mountaineers, General Walpole, whose sense of honor was deeply wounded, indignantly declined to accept the valuable sword voted by the Assembly as a tribute to his successful conduct of the war.

The question was, what was to be done with the people who had thus made surrender of themselves and their arms, pursuant to the oath-guaranteed terms granted by General Walpole? The treaty stipulated that they were "to go to the Old Town, Montego Bay, or any other place that might be pointed out, and that (they) would settle on whatever lands the Governor, Council and Assembly might think proper to allot." The British General had sworn that no lands would be allotted them outside of Jamaica.

EXILES FROM JAMAICA.

In spite of all this the Assembly of Jamaica, decided to uproot the whole tribe, cost what it might. The Imperial government was consulted, and, after much negotiation, agreed to sanction a general deportation to Nova Scotia. Sir John Wentworth received instructions from London to get things in readiness for the exiles from

Jamaica. There is nothing to show that in advance of this intimation to the Lieutenant-Governor, either Sir John or anyone else in Nova Scotia, knew anything of the project. The Maroons, five hundred in number landed in Halifax on July 22, 1796. They were accompanied by Colonel Quarrel as commissary or agent, and a Mr. Ochterloney as sub-agent, charged with the duty of settling them. These Jamaican representatives had a credit of twenty-five thousand pounds, Jamaica currency—whatever that may have amounted to in sterling money—and for a time everything went swimmingly. A large tract of land was purchased in Preston and vicinity, and lodging houses erected. Work and wages were awaiting such as deserved them. Prince Edward offered volunteers 9d. a day besides provisions, lodging and clothing, for work on the new bastion at the citadel. Sir John Wentworth evinced the keenest interest in the new comers. In his letters home, he drew flattering pictures of them: "They are healthy, peaceable, orderly and inoffensive, and highly delighted with the country" and gives a practical touch to his representation by adding that "about fifty of them slept in my outhouse at the farm, where I am often without a sentry, or even locking a door or window." Still Sir John reflects that these good people are not Christians and he asks for "a grant of two hundred pounds, to be applied in religious instructions and in a school; this would reclaim them to the Church of England, and disseminate Christian piety, morality and loyalty among them." The Governor—at whose expense we are not told—orders things for their comfort from England, among them "60 gross coat and 60 gross vest white metal buttons strong: Device—An Alligator holding wheat ears and an olive branch; Inscription—Jamaica to the Maroons, 1796."

Through the summer and part of the autumn the favorable representations continue. Even the modifications are slight. The Governor had been warned from England to be on his guard against some of the new-comers, but is unable to, "discern any malice or revenge in their sentiments." He reports the Maroons generally as expressing "no other anxiety than their fears to be removed," and "that nothing would create such distress as to carry them to Sierra Leone, nor could they be prevailed upon by any person now to return to Jamaica"? In Halifax they seem to have been quite the lions of the hour. Rumors had come pointing to a possible French invasion, Sir John assures the Duke of Portland that "the Prince, Edward, has

brought the harbor defences into good order and fully relies on the Militia, *Maroons,* and Indians." So far Sir John has unbounded confidence in Quarrel and Ochterloney. The Jamaica deposit has not yet been fully drawn.

The question of expenditures in behalf of the Maroons was raised in the Assembly by some financial critic. The Governor's explanation was that "the Maroons had been received here by instructions from the Crown, who would provide for them." Towards spring, there is evidence that some of the original gloss was wearing off the Maroon character. Sir John writes to the Duke of Clarence: "From my observation of them, neither Jamaica, nor any other Island would be long at peace nor secure from insurrection, were these people among them." But happily "in this country they can do no material harm, and I am convinced they *will be an useful and faithful corps to oppose an invading enemy.*" The Maroons had begun to grumble. One had found out that "neither yams, bananas, cocoa or cayenne pepper will grow on his farm; another complained that "there were no wild hogs to hunt."

MAROONS DISLIKE NOVA SCOTIA.

Soon things began to grow worse. The Maroons found conditions of life so different from their environment in Jamaica that dissatisfaction was the necessary consequence. They became troublesome and turbulent. The Jamaican officials, once the Maroons had become affixed to Nova Scotia, and their own funds exhausted, quietly withdrew, leaving Sir John to grapple with the financial problem as best he could. Colonel Quarrel left in 1798. He was honored with a seat in the Council of Jamaica "as a reward for his care of the Maroons," that is for relieving Jamaica of care, expense, danger and worry at the expense of Nova Scotia. Sir John Wentworth reminded Lord Balarras that the upkeep of the Maroons had already entailed an expense of nearly eighteen thousand pounds. It is said, whether with warrant or not, that in a financial crisis caused by Maroon expenditures, the Governor had to pledge his official salary and his income from the "Surveyorship of the Woods." Towards the end of their stay in Nova Scotia, the Maroons at Preston had to be kept in order by a heavy company of the Governor's own regiment stationed at Preston. Wentworth complained that some person from Jamaica (an agent of Ochterloney formerly sub-commissary in Halifax) "had poisoned the minds of the Maroons, inducing them to

abstain from going to Church on Sundays, drugging them with liquor, and in various ways turning their minds against the Governor and Clergyman."

After the withdrawal of the Jamaica agents, the general superintendence of the Maroons was placed in the hands of Nova Scotian managers. For a year or two they were looked after by the well known politician and Assemblyman, Alexander Howe, for the last year by Theophilus Chamberlain. At one time William Cottnam Tonge offered 10 pounds per head a year for three hundred of them to work on his embarrassed estate at Windsor. Even the prospect of financial relief could not induce Sir John Wentworth to gratify the wishes of such a radical, and so pronounced a personal enemy as Tonge. After intimating that the Maroons would not go with Tonge, and that the people of Windsor would not tolerate the presence of such neighbors, he adds "I have a still further and equally serious objection, of a more private nature, which is, that I cannot, and ought not to have any reasonable confidence, that less seditious practices would be imported under this direction, than has been employed where they are now."

Meantime disorder and turbulence kept increasing, and the expense accounts at an equally rapid rate. The end of the farce was near. Members of the Nova Scotia Council, acting apart from the Governor, took the matters up with the Imperial Authorities, and insisted that relief from an intolerable situation must somehow be promptly provided. The Crown managed to effect an arrangement with the Sierra Leone Company, whereby the latter, throwing all pretense of consistency to the winds, consented to locate the Maroons alongside of the negroes brought over from Nova Scotia seven years before. *Ex hypothisi,* a Sierra Leone settler had to be a civilised Christian. The Maroons were polygamous idolaters. It is a great astonishment to learn that the Maroons soon after their installation at Sierra Leone served the Governor of the colony a good turn by enabling him to suppress an insurrection which had just broken out among the older colonists. Our friends probably were not sorry to get a little fighting to do, a form of enjoyment which among their other luxuries they had been obliged to intermit during their four years stay in Nova Scotia.

The conduct of the Maroons in rendering this timely assistance to the cause of law and order was actually the matter of special con-

sideration in the British House of Commons, founded on the report of a special committee: They were represented as "active and intrepid, as prodigal of their lives, confident of their strength, proud of the character of their body, and fond, though not jealous, of their independence." The report, however, finds much to regret. They are not Christians. They had little idea of any kind of religion. They believed in Acompang. "The suppression of polygamy among them had hitherto been deemed an experiment too hazardous to be tried, and no fair opportunity has yet occurred of ascertaining how far they would submit quietly to such restraints of the civil power as are repugnant to their inclinations and their tastes." We are told as a matter of history that after the older generation of Maroons who went from Nova Scotia to Sierra Leone had passed away, the younger generations crossed the ocean and settled in Jamaica, that scarcely an individual with Maroon blood in his veins remained in Sierra Leone. The Imperial government cannot be acquitted of severe blame for countenancing so shameful an outrage as the attempt to fasten these people on Nova Scotia, nor that of Jamaica of still severer condemnation. The latter added to the original offense, the infinite meanness of expecting Nova Scotia to pay the cost of a scheme to injure her.

Sir John Wentworth's skirts, moreover, are by no means clean. Nova Scotia had no primary responsibility in the matter whatever. She did all that could be reasonably expected of her when she permitted her soil to be used for the purposes of the movement, and she would have been justified in making the most energetic remonstrance —not to say resistance—to the initiation of the project. But Sir John Wentworth fell right into the trap. The Maroons were scarcely on the ground, when he began to coddle them and waste money on them, as though they deserved or could appreciate, his attentions and his gifts. In a letter from Thomas Barclay to Prince Edward written from New York shortly after the departure of the Maroons, some light is shed on Wentworth's connection with the ill-fated scheme:

"I sincerely lament that my amiable and worthy friend, Sir John Wentworth is to be removed from his Government.[1] A more zealous faithful subject never existed; but I fear he may have been as inattentive to the expenditure of public money as of his own. His natural

[1]A report to that effect was current and Barclay's own name was sometimes joined in the report as Wentworth's probable successor. As a matter of fact, Wentworth retained the Governorship seven years longer.

benevolence has ever rendered him a dupe to designing men; and I have more than once entreated him to give absolute negative in the first instance to improper application. His interference with the Maroons I protested against in the warmest terms, and if Sir John will resort to my letters when the Maroons arrived in Nova Scotia he will see that what I then predicted has actually come to pass. Still I believe his hands are clean, however negligent he may have been as to expenditures; and though I condemn the measures of his ever having had anything to do with them, I am satisfied the location was judicious for their establishment.

PRINCE EDWARD.

The Duke of Kent, or Prince Edward—to employ the name by which he was known during the earlier and longer of his periods in the Province—cannot be said to have played a prominent part in shaping the destiny of Nova Scotia. Civil affairs lay entirely outside of his jurisdiction. As originally appointed he was Military Governor, or administrator, of the district now known as the Maritime Provinces, with headquarters at Halifax. His ordinary subscription to official letters and documents was "Edward, commanding Nova Scotia and Dependencies." During the four years of this period, and the later year in which, having been raised to the peerage, he held the post of Commander-in-Chief for the whole of the British North America, the fates gave him no chance to display those higher soldierly qualities of which he had given some indication, when under Sir Charles Grey, he led his grenadiers against the French fortress in Martinique, Guadaloupe and St. Lucia. The duty assigned him was to put and keep the region committed to his care, particularly the strategic point on Chebucto Bay, in a condition of assured defense. Personally a brave man, with distinct military ambitions, he has let us know through the medium of published correspondence, how much he chafed under restrictions which kept him from the field.

The details of his movements and activities in earnest effort to fulfill the design of his appointment have lost their interest. Outside of infringement on the domain of civil government—something which he scrupulously avoided—he identified himself as much as possible with the people among whom his lot was cast as their military

protector, and as a result was exceedingly popular among all classes of citizens. Within his own sphere as a military administrator a certain stigma has attached itself to his reputation. The ordinary picture drawn is that of a rigid martinet, an officer who was more than a stickler for trifles, one who visited minor delinquencies with punishments of outrageously disproportionate magnitude. If the Duke's career in Nova Scotia had stood by itself, it is doubtful if it would have secured this unsavory repute. It was of course understood that his discipline was of the "Old School" type. A gentleman of distinction[1] who, when a young officer, had served under him several years at Halifax admits that "His R. H.'s discipline was strict, almost to severity" and adds "but I think he was somewhat mistaken in supposing such undeviating exactitude essential to good order. Off the parade he was the affable prince and polished gentleman." But there is no hint here of the graver acts of severity, inhumanity sometimes more or less associated with the Duke's name. Charges of this nature, no doubt, originally arose in connection with transactions at Gibraltar and Quebec which seemed to require rigorous measures.

THE PRINCE AND THE SEVENTH FUSILIERS.

At the outset of his career, as a sort of punishment for alleged, but most falsely charged, filial disobedience, he was sent by his father to take charge as colonel, of the Seventh Fusiliers. On getting into touch with his regiment, he found it in a most disorderly, disorganised and demoralised condition, in fact in a state of semi-mutiny. That drastic measures were used to correct these evils and restore regimental order, is highly probable. When the trouble did not easily yield to corrections, it was decided to try a change of air. The Prince was ordered to take the Seventh to Quebec. The disaffection continuing, very severe measures of repression were resorted to. Against one culprit a court martial pronounced sentence of death; terribly severe floggings were decreed in the case of others. As "Commanding Officer," the Prince could not even make an application for His Majesty's mercy for the unhappy wretch for whose shooting the guns were already loaded, but "as the son of the sovereign" he interposed and secured what the laws of military discipline would not have allowed. There is no record that the flogging penalties

[1]Lieutenant Haliburton, afterwards Sir Brenton Haliburton, Chief Justice of Nova Scotia.

were averted. The Prince was glad to terminate his connection with the Seventh Fusiliers. Just then his attention was directed to the fact that Sir Charles Grey had organized an expedition for the conquest of the French West Indies. He solicited an appointment under Sir Charles, and was off for Boston in the dead of winter—of course by the land route—before the general public of Quebec were aware even of his intention.

But it is what happened after the Duke's final departure from Nova Scotia that gave definite and lasting form to the impression that he was an exceptionally stern, if not cruel, administrator of military discipline. On his return to England in 1800 the best appointment he could get from his loyal brother Frederick of York, was the Governorship of Gibraltar. Affairs at that celebrated stronghold were in a frightful condition. Drunkenness, disorder and insubordination were rampant. The Prime Minister's parting words on the Duke's leaving to assume command at "the Rock" were, "This state of things cannot be permitted to endure; it has lasted too long; it must be put down, and your Royal Highness is the man to do it. You may fully reckon on the fullest measure of support from the Cabinet at home."

IN COMMAND AT GIBRALTAR.

On his arrival at Gibraltar, the new commander found that the half had not been told him. During the time which had elapsed since his former residence at Gibraltar with the Seventh, things had steadily gone from bad to worse. Among both officers and men, segregated from all companionship with their kind and living lives of enforced idleness, flagrant immorality of all kinds abounded. Discipline there was none. The officers were almost as much down at the heels as the men. The Duke struck at the drink traffic as the parent fountain of ill. There is no record of exceptional forms of punishment or undue severity, though pressure in all available forms was displayed to promote reform and restore order. The usual results followed: Officers grumbled and swore at being deprived of time for cards, billiards and wine. Nothing could have been more unsatisfactory to the soldiers than limitations of their grog. Getting primed with liquor somehow, the Second Battalion of the Royals, mutinied against the adjutant, who refused them permission to go to

town. In the affray five men were wounded. The Duke forgave the mutineers. A few days later, another regiment, also getting drunk on pay day, likewise mutinied. In this matter lives also were lost. Finding his former act of clemency misinterpreted, the Duke this time insisted that the ring-leaders should be brought to trial. The result was that ten men were found guilty and sentenced to death, and three actually executed. The mutiny was at an end. In a few months the Duke was recalled, and was asked on leaving to transfer the command to the officer next in rank to himself, one General Barnett, from whom he had every reason to believe had gone home the despatches leading to his recall. This instruction he refused to follow but stuck to his post until a regularly appointed successor arrived. This successor in his first report drew attention to the excellent order in which he found everything at Gibraltar.

On his return the Duke of Kent insisted on an investigation, offering to waive his rank and submit to court martial. The answer was a diplomatic refusal from the Duke of York "the most popular of the King's sons." Another brother, the Prince of Wales, thus remonstrated with the Prime Minister, the weak Addington: "You send a man out to control a garrison all but in a state of open mutiny. You tell him to terminate such a disgraceful state of things. You assure him of the unqualified support of Government in his undertaking. He goes out. He finds matters infinitely worse than they were represented. The impending outbreak occurs. He quells it thoroughly. By way of reward you disgrace him. If you want to deter an officer from doing his duty, or desire to encourage a mutinous soldier, your tactics are admirable. They cannot fail to attain such a result. Edward may well complain. He was neither officer, nor man, if he were silent."

DISCOURAGES DRUNKENNESS AND GAMBLING.

It is not pretended that the Prince on his arrival in Halifax was compelled to face conditions such as confronted him at Gibraltar and Quebec, but that as the seventeenth century neared its close, and indeed at a much earlier period, the dissipated habits of the soldiery had unfavorably affected the morals of the town. To the concurrent and often quoted testimony of the clergymen of all the churches, as well as that of visitors to Halifax, may be added that of Sir Brenton

Haliburton, who, as we have seen, was a lieutenant under the Prince's own command. His report as given in general terms is to the effect: "that it was no unusual thing for gentlemen to join the ladies in a state of intoxication, which would now be considered very disgraceful, but which was then merely laughed at by the ladies themselves. The Prince at once stamped this state of things with his most marked disapprobation, and quickly put an end to it among the military, by parading the troops every morning at five o'clock, always attending himself. Gambling also prevailed to a great extent, but the Prince never touched a card, and as the early parade compelled its votaries to retire to bed, gambling as well as drinking fell into disuse. The improvement thus forced on the military gradually extended to the general society, and to His Royal Highness is justly due the credit of putting an end to a very disreputable state of things, and elevating the public and private morals of the community."

In June, 1798, it was resolved by the House of Assembly: That an humble address be presented to H. R. H. Prince Edward, to beg that he will be pleased to accept from the Province of Nova Scotia, a star as a testimony of the high respect which the Province has for H. R. Highness' person, as well as the grateful sense it entertains of the very essential services which H. R. H. has rendered to this Province. In this the Council and Lieut.-Governor cordially concurred; a grant of five hundred guineas was made, and the address unanimously passed, to which H. R. H. gave a suitable reply from which the following is an abstract: "Nothing could afford me greater gratification than to receive so unequivocal a proof of your approbation of my conduct during the time His Majesty has been pleased to honor me with the command of the troops in this Province. My utmost endeavors have always been exerted to obtain your good will, by pursuing that line of conduct which I thought would be most acceptable to the King, and most beneficial to his service, as well as that calculated for the protection of the Province. To have succeeded therefore in this object, of which circumstance your address of today affords me so honorable a testimony, is the more gratifying to my feelings, as I flatter myself when His Majesty is informed of it, he will not hear it with indifference."

Shortly after the presentation, on a field day, as he was riding down one of the cross streets from the Parade, his horse went through a plank bridge over one of the streams which at that time

flowed from the hill into the harbor. The Prince was thrown and the resulting injury was so severe that his doctor advised him to return to England for surgical treatment. The advice was acted on. On the 7th of May, 1799, he, as Duke of Kent, took his seat in the House of Lords. On the 10th he was gazetted General, and on the 17th nominated Commander-in-Chief of all the forces in British North America.

Everybody was glad to have Prince Edward—now the Duke of Kent—back in Halifax again. On Friday, September 6, 1799 the frigate *Arethusa,* sailed up the harbor. Royal salutes were fired from the ships of war, the batteries, and the citadel. All the dignitaries and officials of Province and town received him at the ship. The bells of the churches rang out their welcome. Sir John Wentworth reported that the Duke of Kent "has entered upon his command with infinite activity, and ideas extremely enlarged, since his departure from hence. The arrangement in contemplation promises a plenteous circulation of money and improvement to this Province. (The arrangement referred to is not clearly understood). He is now residing chiefly at my house near town, which he requested me to re-occupy, and I have accordingly lent it to him during his stay in Nova Scotia, although I have not another place to go to for a day's retirement. However it must be so! for he wrote to me, and he says he has more pleasure in that villa than in any place out of England." An address from the magistrates, clergy, and grand jury of Halifax complimented the Duke on his "perseverance in acquiring and accurate geographical and political knowledge of these Provinces."

The Duke remained less than a year in Nova Scotia. His last function (June 5, 1800), was laying the corner-stone of Masonic Hall on Barrington Street. Officially he was Grand Master of the Masons of Lower Canada, and acted for Hon. Richard Bulkeley, the Grand Master of Nova Scotia, who was at death's door.

The Duke's mind was much perturbed as to his future and judged it best to be near the center of operations. His heart was set on getting an appointment in Ireland as either Lord-Lieutenant or Commander-in-Chief. Instead of being sent to Ireland he was sent to Gibraltar, with what result we have seen. The remainder of his life was full of disappointments, and rebuffs of fortune. He bore them bravely and uncomplainingly. Whatever may be said of his principles of military government, his correspondence reveals a man

of a most sympathetic nature, bound to his friends with hooks of steel, and counting no sacrifice too great to make in their behalf.

Sir John Wentworth reported that "a large transport is daily expected from England to take all his (the Duke's) carriages, horses, furniture and domestics, that cannot be embarked on board the *Assistance*, which will also be stored as full as a merchant ship." From the deck of the *Assistance* the Duke took his last look at Nova Scotia on August 3, 1800.

In May (1806), a dissolution of the General Assembly was resolved on, and writs were made returnable on the 7th of August. The members returned at the ensuing election were:

County of Halifax: Edward Mortimer, Simon Bradstreet Robie, Samuel G. W. Archibald, William Lawson.
County of Annapolis: Thomas Ritchie, Henry Rutherford.
County of Lunenburg: Lewis Morris Wilkins, Edward James.
County of Cumberland: Henry Purdy, Thomas Roach.
County of Kings: Jonathan Crane, John Wells.
County of Queens: John Parker, George Collins.
County of Hants: William Cottnam Tonge, Shubael Dimock.
County of Shelburne: Jacob Van Buskirk, James Lent.
County of Sydney: Joseph Marshall, Edward Irish.
Town of Halifax: John George Pyke, Foster Hutchinson.
Town of Truro: Thomas Pearson.
Town of Onslow: Nathaniel Marsters.
Town of Londonderry: Samuel Chandler.
Town of Annapolis: Thomas Walker.
Town of Granville: Isaiah Shaw.
Town of Digby: John Warwick.
Town of Lunenburg: John Bolman.
Town of Amherst: Edward Baker.
Town of Horton: Daniel Dewolf.
Town of Cornwallis: Lemuel Morton.
Town of Liverpool: Joseph Barss.
Town of Windsor: William H. Otis Haliburton.
Town of Falmouth: Jeremiah Northup.
Town of Newport: Thomas Allen.
Town of Shelburne: Colin Campbell.
Town of Barrington: John Sargent.
Town of Yarmouth: Samuel Seldon Pool.

Murdock mentions among the new members as gentlemen who afterwards attained distinction, Archibald Lawson, Ritchie, and Haliburton. He might also perhaps have included in this class Lewis Morris, Wilkins, and Foster Hutchinson. Wilkins was about to become speaker, and both became justices of the Supreme Court. Wilkins was the son of Isaac Wilkins, formerly assembly man from Shelburne, but who at this time having changed his profession was Protestant Episcopal rector at Westchester, N. Y. Hutchinson was a townsman, not only of the famous Governor of Massachusetts, but of the wise and gracious Mascarene. The most conspicuous of the members of the previous Assembly, who had dropped out was, Richard John Uniacke. Uniacke, for some reason did not offer for re-election, perhaps because he anticipated elevation to the Council, as soon as Wentworth's antipathy ceased to operate to his prejudice[1]. He was made Councillor immediately on the accession of a new Governor.

It will be noticed that Colchester and Pictou again divided with the city the representation of Halifax county. Mr. Robie, one of the members, sat for Truro in the previous Assembly. Tonge transferred his seat from Newport to the county of Hants. He and Wilkins were nominated for the speakership, and he won that by a single vote. To the surprise of most, on his presentation to the Governor, for confirmation of his nomination, Sir John Wentworth gave a curt and presumptious refusal. The members were relegated to their Chamber to make another choice and report same at one p. m. the following day. Wilkins and Hutchinson were nominated. Wilkins was the choice of the majority.

Sir John's opening speech was in style rather more stilted than usual. He congratulated the Assembly on "the blessings of health, reciprocal kindness and prosperous results of industry throughout the province, demanding an humble thankfulness to the Fountain of all good. The legislature is assembled to promote this enviable situation, which can only be affected by a temperance consideration and unanimity, wherein my cooperation may always be relied on." The House, practically accepting the hand that had smitten it, goes no further in reply than to say: "While we lament that your Excellency has been pleased to exercise a branch of H. M. prerogative, long

[1]This seems to be Hon. L. S. Powers' suggestion. N. S. His. Soc. Coll. Vol. IX. p. 106.

unused in Great Britain, and without precedent in this Province, we beg leave to assure your Excellency that we shall not fail to cultivate assiduously a good understanding between the different branches of the legislature, and to prosecute with diligence the business of the session."

An appointment of some interest was made about this time. Judge Brenton—against whom in connection with Deschamps an impeachment process was laid in 1784—died. At a meeting of the Council at 1 p. m. on January 10th—at which meeting only three of the twelve Councillors were present, one of these being the appointee's own father—Mr. Brenton Huliburton was appointed as assistant justice of the Supreme Court. The new justice was ten years before a lieutenant in the army. He became Chief Justice in 1833 and did not die until 1859, retaining office until the time of his death[1].

[1] The compiler of this History has personally seen him, as well as heard him address juries.

CHAPTER XI.

DISMISSAL OF TONGE—THE WALKER CASE—SIR JOHN WENTWORTH, DR. CROKE AND THE COUNCIL—DEATH OF GENERAL PREVOST—SIR JOHN COAPE SHERBROOKE.

The business transacted at the legislative session of 1807 was mostly of a routine character. Indications were not wanting that the speakership incident had not improved the situation so far as the personal relations between the Governor and Mr. Tonge were concerned. Not content with deluging Downing Street with letters describing the malpractices of the Nova Scotia demagogue, and with having revived an "obsolete prerogative" for his public humiliation, Sir John Wentworth proceeded as soon as the House rose to strike yet another blow, by dismissing Tonge from the post of Naval Officer for the Province. The dismissal was followed up by action petty enough to be stigmatised as mean and altogether unworthy of the representative of the Crown. Some of Mr. Tonge's neighbors in Hants county, and of his friends in other parts of the Province, felt inclined to appeal to public opinion in his behalf. "At a Council holden at Halifax on Wednesday, the 10th of June, 1807 * * * His Excellency laid before the Board, a writing, dated Windsor, April 9, 1807, signed by Isaac O'Brien and others, directed to John McCulla, Esquire, Sheriff of the County of Hants, requesting him to notify a meeting of the freeholders of said county, for the purpose of considering a humble petition to the King, on the subject of the removal of H. M. Naval Officer without a hearing; also another publication to the same effect, dated Annapolis, 27th April, 1807, signed by Elisha Budd and others." (By advice of Council, a notice was directed to be sent to the Clerks of the Peace for Hants and Annapolis, to notify Joseph O'Brien and John Chambers, Esquire, J. P. P., of Hants, and Elisha Budd and Moses Shaw, J. P. P., of Annapolis County, that unless they gave satisfactory reasons to the contrary within one month, they would be suspended from the Commission of the Peace.)

THE WALKER CASE.

A question of some parliamentary moment emerged at this season to receive final settlement. The opposing parties in their final alignment were the House and the legal advisers of the Crown in Nova Scotia on the one side, and His Majesty's Council on the other. The circumstances under which the so-called "Walker Case" originated were as follows: "At the recent election Thomas Walker was returned by the sheriff as elected member for the County of Annapolis by a clear majority of votes. His claim to the seat was petitioned against on the ground that he had resorted to improper means—exercised undue influence"—to obtain a vote, by withdrawing from court a suit which he had entered against a freeholder. The House, apparently with unanimity, accepted the fact as stated, interpreted it as "undue influence," unseated Mr. Walker, and through its Speaker applied to the Governor for a writ to fill the vacancy. Whether acting spontaneously, or at the suggestion of others, Sir John requested the advice of his Council, which body advised him to submit the question to the Crown lawyers, preparatory to a decision as to the issue of the writ. The formal question submitted to Attorney-General Uniacke and Solicitor-General Stewart (neither of them being members of the Council) was, "Are the proceedings of the House relative to the said election and return regular and constitutional?" The Attorney-General gave it as his opinion that the House was within the limit of its legal powers in vacating the seat, that the law and usage of parliament extended to this Province, that the Assembly had powers analogous to those of the House of Commons. This opinion the Solicitor-General confirmed. The Council at which these opinions were taken up and considered there were present but three members, Chief Justice Blowers and Messrs. Hartshorne and Wallace, the two latter both laymen and extreme partisans. The Chief Justice—for in this matter he constituted the Council—took direct issue with the finding of the Crown lawyers, "being of opinion that the law of parliament is peculiar to the high Court of Parliament in England, and is not transferred to, or vested in, the general Assembly of Nova Scotia, which owes its creation to the Royal instructions, and is regulated by the laws of this Province." The Council argues in detail that the Provincial act does not embody the provision of the English Act, which disqualified candidates for bribery, therefore such

disqualification does not extend to the Nova Scotia House. It is also contended by the Chief Justice, speaking in the name of the Council, that the discontinuance of his lawsuit by Mr. Walker was not an act of bribery. The Governor was advised to take the opinion of H. M. Minister at home. Awaiting the decision, or opinion, of the Imperial Crown officers, the Assembly took a bold stand and unanimously resolved that "all attempts to draw the examination, discussion or determination of the qualifications of electors, or persons elected, or the proceedings of sheriffs on the returns of writs for the election of members, or the decision of the House thereon, to any other tribunal, are unconstitutional attacks upon the most undoubted rights of the people of Nova Scotia." Somewhat late in arriving, the opinion of the Imperial Crown officers was most satisfactory to the Assembly, and most humiliating to Chief Justice Blowers: "Upon the materials before us, we cannot advise withholding a new writ for the election of a member for the County of Annapolis, in the room of Mr. Walker, whose seat has been declared vacant by a resolution of the House of Assembly. We apprehend that the issuing of a new writ is a necessary consequence of a vacancy created by a resolution of the House and we see no sufficient ground to question the competency of the House to decide exclusively and without appeal on the quality of an election of one of the members." The writ to fill Mr. Walker's seat was issued forthwith, the Council concealing its chagrin as best it could.

VICE-ADMIRAL BERKELEY'S SWORD.

All through the session the majority of the Assembly and the Governors carried on a species of guerilla warfare. Sir John's earnest recommendation to increase Treasure Wallace's salary was without avail. He retaliated by refusing to concur in a vote of the Assembly, and acquiesced in by the Council, to present Vice-Admiral Berkeley, who was leaving the station, with one hundred guineas for the purchase of a sword or plate, in recognition of his valuable services to Nova Scotia. When a committee of the House waited on Sir John to communicate with him on the subject, he, much to the committee's surprise, said that he would take time to consider: "As soon, therefore, as my determination can be properly prepared, it shall be regularly communicated." It took more than a month to reach the following decision: "Gentlemen of the House of As-

sembly. Having fully considered the vote communicated to me for granting one hundred pounds to Vice-Admiral Berkeley, for a sword or piece of plate, it appears to me objectionable in so many respects that I feel it my duty to decline giving my assent to it."

In a letter to Lord Castlereagh, written thirty days before he made the above announcement to the Assembly, Sir John clearly enough explains that the main grounds of objection to the proposed gift was the intimacy, real or alleged, between Admiral Berkeley and Tonge, the latter of whom he makes responsible for the action of the House. A very awkward situation was created. Before the Governor's refusal to join in the movement was known and when such action was not dreamed of, a committee of the House had awaited on the Vice-Admiral, announced the gift, and received most appreciative acknowledgement of the same. History discloses no reason, apart from some absurd whim on Wentworth's part, why a gallant officer should have been placed in such a mortifying position.

Berkeley, who now that Rear Admiral Sir Alexander Cochran was in port, was leaving for the protection of other parts of the coast, had been in close touch with Sir John himself in devising measures for the adequate protection of Halifax. It was a critical time. In our relations with the United States, peace and war were nicely balanced, with every prospect that the latter would turn the scale. Sir John waxes very bold and assures Lord Castlereagh: "Notwithstanding Mr. Emmett, a noted Irish innovator, now at New York, relying upon co-operation of the Irish inhabitants of this Province, propose to conquer Nova Scotia with 7,000 men, in both these points he will be completely deceived." Until the war scare was over Sir John's despatches to Lord Castlereagh indicate almost superhuman efforts to make Halifax secure. He is in constant conference with General Hunter and General Skerret, with Admiral Cochran and Admiral Berkeley. He told General Skerret that the situation of Margaret's Bay and Cole Harbor would be probably the points on an enemy's attention" but he thought "if defended the foe would find insuperable difficulties in advancing." One ground of conference was that "Admiral Berkeley designed to employ 140 men, accustomed to boats and vessels, in two gun brigs, for defence." It seems cruel that just to spite poor Tonge "The Hon. George Cranfield Berkeley, Vice-Admiral of the White, commander-in-chief of H. M. ships and vessels on the Halifax Station" should not have

been allowed to take with him to the other ports of duty, and then transmit to his descendants, the simple piece of plate voted him by the grateful and appreciative Assembly.

The speech with which Sir John closed the sessions was his parliamentary valedictory: "Gentlemen of the Council and Assembly. I embrace with great pleasure this occasion to release you from the public service, to allow you to go to your private affairs; relying fully, that at all times, but more especially at a period of such peculiar importance as the present, you will, in your respective districts, wisely cultivate that prevailing spirit of harmony and loyalty, which I hope, will long continue to render this a strong, respectable and happy Province."

ESTIMATE OF SIR JOHN WENTWORTH.

Sir John Wentworth was Governor of Nova Scotia for sixteen years. Of course during that long period many things happened within the sphere of his government for which he deserves neither praise nor blame, mere events as far as he was concerned. Then, he possessed many qualities, which, to say nothing of the unique versatility of his career naturally puts restraint on a harsh interpretation of his public conduct. He was in private life, a well bred, agreeable, and honorable man, with many accomplishments. Yet, if the truth be told, the record of his long career as Governor scarcely reveals a single instance, or a single train of circumstances, where he displayed administrative ability worth mentioning. Far more numerous are the cases in which his lack of judgment, his fatal capacity for being misled by first impressions, conjoined singularly enough with a nature in which the anchors of prepossession and prejudice never lost their hold, involved both himself and the people he was called on to rule, in grave and lasting trouble. It is scarcely too much to say that from a governmental point of view the whole period of his rule was a continuous process of deterioration, if not absolutely from end to end, yet constantly throughout a decade of it, and particularly observable during the last two or three years. There is no doubt much force in some of the pleas by which Murdock endeavors to soften his general sentence of severe condemnation; that the system with which he was connected was intrinsically a bad one; that he would naturally abhor the democratic spirit which had driven him

from his native home; that the oligarchial council not unnaturally presented itself to him as a much more solid basis for society to repose on than the Assembly changing with every shifting mood of the free-holders. But these pleas are put forth mainly to enable the historian to say that he did not question Sir John Wentworth's sincerity and moral honesty. They do not affect the main fact, that while the system of governmental organization was intrinsically a bad one, its administration under Sir John Wentworth was also bad, or if such things are comparable, even worse. If we find it difficult to credit the Governor with common sense when he assures us that, "it is when a steady support of this body (the Council) will greatly depend on the peace, prosperity, and proper attachment to Great Britain of this and all the other Colonies on this continent," we find the difficulty increased when we take particular note of the material with which Sir John filled his Council during the later years of his administration, how careful he was to keep out of it any one whose presence would tend to impart to it a broad, representative and independent character, and to bring in his own relations and partisans. If Sir John believed, as he said, in the fundamental importance of the Council, it should have been his aim and his pride to make it representative of all that was good in the Province and not the depository of a little clique as much like one another as eggs in a basket. In his representations to the Ministry, the one recommendation of his nominees for the Council was that they were loyal and not seditious, as "the uneducated tradesmen, labórers and farmers" of the country, "who from the nature of their industry, cannot possibly have any real information," are so apt to be. As he grew old, Sir John Wentworth did not grow wiser in a political sense. In the earlier part of his term, he would not have dismissed a public official as he did Tonge, for no graver offense than differing in opinion from his Council about the passage of an appropriation bill, nor would he have perpetrated the two successive acts of nepotism in appointing first his brother-in-law, and then his son to an important and lucrative office. The latter nomination, Sir John begs Lord Castlereagh to confirm as a favor to him "in view of his advanced age and faithful service of nearly forty-two years."

It is pleasing to know that the veteran in his retirement from the governorship was comfortably, if not generously, provided for. The British government proposed to grant him a royal allowance of five

hundred pounds per annum, with the expectation of a provincial one of like amount. In the Assembly—we are sorry to record it—Mr. Tonge challenged the vote, but it went through, and Sir John enjoyed an annual stipend of one thousand pounds for the remaining years of his life, which were spent in his comfortable villa on Bedford Basin. Smarting under the sense of wrong, Mr. Tonge tried not only to arrest the grant, but also to modify the language of the address of presentation. Sir John Wentworth made no allusion to either circumstance in his reply to the address.

"To the Honorable, the House of Assembly:

"I am greatly obliged for your address, on my retirement from this government, political circumstances having induced H. M. to place it under the command of a distinguished military character, I am most thankfully sensible of His Majesty's gracious approbation of long services in being pleased to recommend to the Assembly to enable His Majesty to make a provision in part for my honorable retirement; whatever could be added to this distinguished honor is derived to me from your goodness in thus presenting to me a copy of the bill accomplishing his gracious intentions, accompanied by your truly gratifying consideration of the benefits attained by this Province during my administration, these having been the object of my warmest and unceasing endeavors. Such pre-eminent testimony of their efficiency and acceptance cannot but afford me the most flattering satisfaction to my mind, which will ever continue impressed with the liveliest regard for the people of Nova Scotia, and affectionate wishes for their happiness, wherein your friendly wishes for the felicities of my private life now to be essentially promoted."

MILITARY GOVERNORS OF NOVA SCOTIA.

From 1808 to 1839, as is well known, the Lieutenant-Governorship of Nova Scotia was filled by a succession of British officers of high rank and distinguished reputation. This law of appointment was probably due to a conviction that the interests both of efficiency and economy would be promoted by the combination of civil and military authority in one individual. Its initiation at this particular time may possibly be attributed to a secondary conviction that the times called for a younger and more vigorous man than Sir John. Through some mishap, the retired Governor did not know that he

was to be superseded until his successor, Sir George Prevost, had actually put in his appearance on April 7, 1808, though the commission of appointment was dated on the 15th of the previous January. Governor Prevost got into harness at once, although on account of his unexpected arrival, Sir John Wentworth was not able to place Government House at his disposal for a few weeks.

Sir George's military service had lain chiefly in the West Indies where it had either intermitted, or been combined with, to a considerable extent civil functions. An opportunity had not been given him so far to acquire a really first-class reputation as a soldier, though it is said that a year or two before his coming to Nova Scotia, Wellington had suggested to the War Office that he be sent to strengthen his staff in the Peninsula.

Before undertaking the military duties marked out for him while holding the Governorship of Nova Scotia, Prevost set to work immediately to investigate local conditions and make such reorganizations in that sphere as might seem necessary. He saw the desiraility of introducing new blood into the Council. At the Council's next meeting Richard John Uniacke was sworn in as a member. Anxious to know with approximate certainty how the currents of opinion were moving in the United States, he sent "A respectable and intelligent inhabitant of Halifax, first to Boston, then to Washington, Norfolk and New York." This "respectable and intelligent inhabitant "was John Howe,[1] father of Joseph Howe, then a boy of four. Mr. Howe was probably chosen not simply on account of his intelligence, but as a native and former resident of Boston. Having relations widely spread, he could travel around without exciting suspicion. Prevost also took a look at the defenses of the Province: "Ruin and desolation are the characteristic features and endless expense must attend them, unless they are constructed in a more permanent manner, and are more concentrated."[2]

When the Assembly met in May, the Governor and the House exchanged congratulations and assurances in a gratifying and cordial

[1] Among the Loyalist settlers of Halifax was a group of seven or egiht families, originally professing the Sandemanian Faith. Besides Howe, this group contained the well known names of Stairs and Lawson, Titus Smith, "the philosopher of Dutch Village" was a member of it.

[2] The only part of the Citadel fortifications then constructed was the so-called Maroon bastion erected by the Duke of Kent. For a long time the fortification policy at Halifax consisted of running up hasty structures during war time, and then let them rot down during peace.

manner. His Excellency was especially thanked "for the supply of arms, clothing, and camp equipage so graciously granted for the use and accommodation of our militia." Sir George had very much at heart a new and more effective militia law. The Assembly did its best, according to its light, to gratify him. The product, however, was not entirely satisfactory. It was a great improvement, but still *very defective,* a fault "ascribed to the jealousy manifested against measures emanating from government and to tendency to democracy imbibed from our neighbors."

All the autumn Sir George was engaged in collecting a grand military force for attacking some place as yet unnamed. It is not necessary to recapitulate the great variety of troops and materials under process of collection,—the regiments of the line, the artillery, the engineers, the cannon, the mortars, the cartridges, the flints, the howitzers.

Lord Castlereagh is informed that Sir George intends to take with him as commissaries, Charles Stephenson and Cottnam Tonge (M. P. P. for Hants). John Howe is sent a second time to Boston, to reconnoitre. Alexander Croke is to conduct the civil government during Sir George's absence, "An able though rather, unpopular character." As the judge of the Admiralty "was a new man in the community," the Governor has "reason to believe that on his assuming the chair, the Chief Justice being senior councillor will retire. His disqualification is unfortunate, as he is most deservedly and universally esteemed." It was not till September 3 (1808) that by secret despatch from Lord Castlereagh, Sir George learned the immediate object of the projected expedition was an attack on the Island of Martinique.

There was time for a session of the Legislature before the fleet sailed. Concerning the embargo which had just been established in the United States, the opening speech reports that "the vast increase of imports and exports of this province proves that the embargo is a measure well adapted to promote the true interest of H. M. North American Colonies." Undoubtedly with grave secret misgivings, the Lieutenant-Governor recommends Judge Croke to the confidence of the House as administrator of the Civil government during his absence.

TONGE LEAVES NOVA SCOTIA.

Under date of November 30th, the name of William Cottnam Tonge appears for the last time. According to the arrangement already noticed, Mr. Tonge sailed with the Martinique Expedition, which left Halifax. The following week while in the West Indies, he received an official appointment in Demarara, and never saw Nova Scotia again. Various explanations have been suggested in connection with this sudden and rather singular disappearance from public life of Nova Scotia's first "Tribune of the People." That it originated in a desire on the part of the ruling authorities at Halifax to get rid of a disagreeable thorn in their side, and so to some extent partook of the nature of a corrupt agreement may be set aside as a decided improbability, though it was hinted at the time by some members of the Country party, who had so unexpectedly lost their leader. It is not known whether Mr. Tonge, when he left Nova Scotia, anticipated anything beyond a temporary absence to be determined by the fortunes of the expedition to which he was attaching himself, or had in view some such appointment as that which he actually obtained. Perhaps he took into account the futility of further struggle in behalf of the elementary principles of constitutional government with such a man as Alexander Croke as supreme director of affairs. Besides, he was financially embarrassed. Sir John Wentworth had turned him out of office. He had inherited from his father, Col. Winckworth Tonge, of Fort Lawrence, Fort Beausejour, and Louisburg fame, nothing but a load of debt, his efforts to carry which had but dragged him more deeply into the mire. The Tonge estates, that in Windsor, stretching from within two or three miles of the court house, to the head of the St. Croix, embracing hundreds of acres of valuable dyke and upland which now constitutes dozens of as good farms as are to be found in Nova Scotia, and plaster rocks from which steadily for over a century the bulk of our Provincial export of gypsum has been quarried; that at Fort Beausejour, not so large but very valuable, reaching as it did over upland and marsh from the glacis of the fort to the Missiquash River,—these are now mere names, but even at the opening of the eighteenth century had passed out of the control of the Tonge family.

Of Mr. Tonge's career in Demarara nothing seems to be known, except that it was a short one.

CROKE AND THE COUNCIL.

As was anticipated as soon as the Lieutenant-Governor had sailed for Martinique and the superintendency of civil affairs had passed into the hands of Dr. Croke, trouble ensued. Differences of opinion between the Council and Assembly over the appropriation bill arose as they often had over similar bills in former sessions, but they were smoothed out and the bill awaited the acting Governor's ratification. When presented by the Speaker for the customary approval, it encountered the negative formula: "I do not assert to this bill." This was surprising, but still more so was the subsequent conduct of the president of the Council in the capacity of *pro tem* Governor. Croke summoned the Speaker and the House to the Council chamber, "where His Honor was pleased to make a speech" in which he informed the representatives of the people that he could appropriate their revenue more beneficially and economically than they could themselves. "After which," we are told, "Mr. Speaker offered to address His Honor, the President (Croke) but was prevented in a turbulent and violent manner by the Hon. Michael Wallace, acting President of His Majesty's Council, who declared the house prorogued." It will not be thought necessary to devote much space to Croke's eccentric sayings and doings, while acting for the absent Governor. The following extract from the letter to the Minister, referring to the affairs of the session which had this remarkable wind-up, indicates his way of looking at things: "The lower House is, as usual, composed principally of farmers, who have a little leaven of American democracy amongst them. They are consequently, as a body, suspicious of government—jealous of their rights, and strongly retentive of the public purse. Little of nothing whatever of party divisions prevails amongst them. They are not at all under the control or influence of any individuals either in or out of the House; but the government of the Province has always a considerable power over them from its means of bestowing little favors and advantages upon the members and their friends. The Council consisting principally of H. M. officers (office holders), is always dis-

posed to second the reins of government." So far as the description of the Assembly is concerned, it is for the most part, whatever may have been Croke's intention, eulogistic rather than depreciatory.

To be suspicious of a Governor, who often gave them good reason for being so; to be jealous of rights often infringed on; to keep a strong hold on the public purse of which they were the legitimate and responsible custodians,—these things certainly were not crimes or misdemeanors, while it is positive commendation to say of members of a legislative body, that they were thoroughly non-partisan and independent. That a Governor now and then had attempted to force, or hinder, measures by distributing petty bits of patronage may have been true; that the attempts were so successful as to constitute an established order of things was an insinuation as false as it was mean. In view of the state of affairs in Nova Scotia just then the reference to the Council is perplexing. Croke had good proof before him just then that the Council did not always show a disposition "to second the views of government." The Council in its legislative capacity was just as responsible as the Assembly for the appropriation bill which he himself just vetoed. A little later he was to learn that the Council, or a majority of it, as a Cabinet or Privy Council, stood by which it had done in its legislative capacity. Croke in a despatch to Lord Castlereagh endeavored to justify his refusal to approve of a money bill regularly passed with the concurrence of the two houses. His legal vindication was found in a proposed grant of 200 guineas to the Provincial agent in London, which as a matter of "unusual and extraordinary nature and importance" should have received the preliminary sanction of His Majesty, as affecting his prerogative. The general justification was the growing and inconsiderate profusion of the Assembly. As a means of enriching themselves, the members sought to expend as much as possible on roads and bridges. It was "the avowed object of the democratic party to involve the country in debt," to make the whole machinery of government revolve around the Assembly. He is pained to have to recall, on reflection, his recent rather indiscriminate eulogy on the Council. "Amongst some of the new members of the Board" he finds "a disposition to court popularity by supporting the Assembly in their favorite views."

He suggests to the minority "to direct the Governor not to assent to the pay of the members of the Assembly." "They now receive

ten shillings a day till eight hundred pounds are exhausted, which occasions their sessions to be protracted till the money is exhausted." He particularly requests authority for himself to draw by his own warrant the money voted for the various public services, and which he had hung up by his veto of the appropriation bill.

Without waiting for an answer from England, he submitted the question as to whether he already possessed the power of making drafts on the treasury, to his own Council. That body, almost unanimously decided that he had not. Chief Justice Blowers made himself conspicuous by his absence from all Council meetings during the administration of Croke. There was a great lack of cordiality in the personal relation of the two legal luminaries of the Province, attributable partly at least to what Blowers regarded as the favoritism displayed by the Imperial Sacrament to his imported rival. As Chief Justice, he was expressly inhibited from acting as administrator during temporary absences of the Lieutenant-Governor, and he not unnaturally claimed that the same preamble should have excluded Croke, as judge of the Court of Vice-Admiralty. Sir George Prevost, to whom as he was sailing for Martinique, the Chief Justice announced his intention to absent himself from all Council meetings presided over by Judge Croke, while expressing regret that such a thing should happen, quite agreed with him on the legitimacy of his objection.

The only councillor who sustained the propriety of the Governor's drawing money on his individual warrant was Michael Wallace, treasurer of the Province, and notoriously on bad terms with the Assembly from matters in connection with expenditures on the Government House. The councillor's decision was preceded by a carefully drawn legal "opinion" in the same direction from Attorney-General Uniacke and Solicitor-General Stewart. Croke did not think it beneath him to refer to "the Attorney-General receiving 200 guineas per annum from the Assembly an annual rate, and the Solicitor-General all his salary in the same way, as likely to affect the independence of their judgment." It is a striking proof of the effect of combined personal and partisan feeling in beclouding reason, toward the administrator, drawing from the results of his own pig-headed folly the "apprehension that the Province will be lost to Great Britain unless the prerogative will be upheld."

PREVOST RETURNS FROM MARTINIQUE.

Meanwhile Martinique had been taken. Sir George Prevost, who with the forces under his command had taken a prominent part in its capture, returned to Halifax about the middle of April (1809). He at once submitted to his Council the vexed question left pending by Croke—"whether the money votes which had been concurred in by both Houses, were sufficient authority to him to draw warrants from the provincial treasury." Croke had now become an ordinary member of the Council, and his retirement from the administratorship left Blowers free to return to his seat without any compromise of self-respect. The personal question having been settled, the Chief Justice's "high" notion of prerogative asserted itself. He voted with Croke, Wallace, and Butler in the affirmative, but the opposite view was sustained by Belcher, Brenton, Hill, Uniacke, and Morris. The same majority advised the Governor to convoke the Assembly at an early date. Sir George who so far kept his head remarkable level under disturbing conditions reported to Lord Castlereagh "the difficulties the president (Croke) has created from not having kept up that good understanding with the Council, and having refused assent to the appropriation bill. "I propose"—alluding to the approaching session—"leaving untouched the nice and difficult constructions on colonial legislation which have arisen out of this measure." This was an eminently sane resolution.

On June 7th (1809) the Assembly met and speedily, as well as satisfactorily to everybody except Judge Croke, attended to the special business for which it was convened. The long held-up appropriation bill was taken from its retirement, passed unanimously, and received the Governor's assent. Sir George Prevost was voted an address of most complimentary character in appreciation of his services against Martinique and 200 guineas to purchase a commemorative sword or piece of plate. He properly recognized the "harmony, assiduity, and liberality" of the Assembly, and wrote home as follows: "A more favorable and expeditious session has not been witnessed in the Province. Our measures were conducted without retrospect or reference to the events which marked Dr. Croke's administration. The prerogative of the King's representatives was, I hope, duly maintained."

Dr. Croke, relegated to an ordinary seat at the board, contrived to still make himself disagreeable, without much regard to the rank of those at whom he struck. On the 6th of May (1809) "the Right Reverend Charles Inglis, D. D., Bishop of Nova Scotia, was summoned as a member of H. M. Council, on a mandamus. His seat was to be next after the Chief Justice, and he was *not* to administer the government in case of the death or absence of the Lieutenant-Governor." The judge of the Court of Vice-Admiralty took serious umbrage at even the official head of his own church having precedency of position over himself at the Council Board. Then he proceeded to make it a ground of complaint that he had not received half of the Lieutenant-Governor's salary for the period during which he administered the government. In rebutting this claim, Sir George Prevost, who had received nothing beyond his expenses for his services on the Martinique Expedition, was able to point out that the effect of granting it would be "a diminution of an income already inadequate to the due maintenance of my appointment," and that Croke during his absence had collected and appropriated all the fees and perquisites attached to the Governor's office. Besides precedent should govern. Nothing of the kind was known in New Brunswick or Cape Breton. When he himself was Governor of Dominica, and was called away for service at St. Lucia and Tobago, "no demand of either fees or salary was made by the president succeeding to the civil authority, although he was a private gentleman, not in the receipt, as Mr. Croke is, of a large salary from the Crown, and considerable emoluments from his office."

For some unknown reason the Assembly held no session in 1810. Sir John Wentworth, who still retained the position of Surveyor-General of H. M. woods in America, and who according to all accounts was not slow in collecting his dues, being about to visit England, appointed Michael Wallace, to act as deputy-surveyor in his absence. James Stewart, Solicitor-General, and Thomas N. Jeffrey, Collector of Customs, were appointed members of the Council. Foster Haliburton, "senior member of the Nova Scotia bar," on the creation of a third assistant judgeship, was raised to the bench. Sir George Prevost received the gratifying increase of one thousand pounds to his salary.

IMPORTANT SESSION OF THE LEGISLATURE.

When the Assembly at length met on February 11, 1811, the Governor found in occurrences abroad and necessities at home abundant materials for an elaborate speech. He referred to the illness of King George, the Peninsular war, the increasing friction with the United States; he recommended increased attention to the road service and to the provision of better accommodation for all branches of the public business. Somewhat in advance of the times he suggested as desirable a provincial prison and reformatory, together with an asylum for the insane. The practical work of the session was important. Grammar schools were provided for in every county except Halifax and Hants, and in the Districts of Pictou, Colchester and Yarmouth. Halifax already had one, while Hants was the seat of the Windsor Academy. The common schools received additional aid. Chapter 14 of the Acts of the Session provided definitely for the erection of a "Provincial House" on the site of the old government house. Money was voted for binding and indexing the Provincial records. The House asked the Lieutenant-Governor to take action to secure a suspension of the collection of the King's quit rents.

Both the tone of the Governor's opening speech, and the record of business actually accomplished during the session, prepared us to be surprised on learning that there was a certain leaven of dissatisfaction with the Assembly working in Sir George's mind. He had evidently come, more or less, under the influence of some of the more conservative, or anti-democratic, members of his Council, and he begins to write quite in the style of Alexander Croke. He complains "of certain abuses grown familiar to the legislation of this Province."

Being about to dissolve the Assembly, he desires the Prince Regent's command, "therein, previous to the meeting of the next General Assembly." He raised the question of the member's pay, which, by some occult process of reasoning, he had satisfied himself would prove a most disturbing element "unless a wholesome and moderate corrective is administered at this crisis, gently to remove an evil highly dangerous to the prerogative of the Crown." Other objects for consideration he states, are embodied in a formal protest made by the Attorney-General in council. It would be interest-

ing to know just what these matters were against which Uniacke protested, and on what grounds the protests were made, but unfortunately no copy of it has been found. The Governor's despatch concludes with some very sordid and unwarranted observations, showing that his mind had come under some new and misleading influence: "When the spirit and democratic forms of the government of our immediate neighbors are considered, the prevailing disposition to encroachment in the representative branch of the Provincial Legislature upon the Crown is readily accounted for. My observation leads me to believe that as Nova Scotia becomes sensible of her adolescence, her dislike to control will become more evident, and her attempts to shake off the mother country more frequent. In short, her ties, in my estimation, are those of necessity and convenience more than of gratitude and affection." This surely is a very serious sermon to found on so slim a text as the members' pay of ten shillings per diem.

Sir George promised to call the attention of the Ministry to the suspension of the quitrents. He proposed to suggest the propriety, if the suspension were granted, of inducing the Provincial Legislature to make a yearly grant to clergy of the Established Church. The "Arms Fund"—money granted for equipping the militia but not fully drawn—was placed at the disposal of the Governor and Council for completing churches of the Establishment. Seven hundred pounds were alloted to the ministers and trustees of the Established Church of Scotland. The Governor did not think wise to give any part of this money to schools, except to build a house for the grammar school at Windsor, as the rest of the Province had been provided for."

On the 19th of June, 1811, Sir James Craig, Governor-General at Quebec, sailed for England. Sir George Prevost had been previously advised by Lord Liverpool, to hold himself in readiness to repair to Quebec, as soon as news reached him of Craig's resignation or death, as the Ministry had fixed upon him as the Governor-General designated. Major Hunter, who had been in military command at Halifax, during the closing years of the Wentworth administration, was recalled from New Brunswick where he was now stationed. Sir George Prevost dissolved the Assembly, handed over the civil power to Judge Croke, and on the 25th of August, 1811, set sail

for Quebec, in H. M. ship, *Melampas,* under appointment as Governor-General of Canada.

DEATH OF SIR GEORGE PREVOST.

During his term of Governorship in Nova Scotia, Sir George Prevost had increased his military reputation by the prompt organization of the forces with which he had efficiently cooperated with other forces in the capture, or conquest, of Martinique. His civil administration, if not perfect, was eminently creditable, when put in comparison with those of Wentworth and Croke.

Proceeding from Nova Scotia to Canada in 1811, his term of office at Quebec, unfortunately for himself, was coincident with the War of 1812. He took the field in person, and the net result of his operations was that he seriously compromised the good reputation which he had acquired in the West Indies. Two successive failures at Sackett's Harbor and Plattsburg led to his recall to answer before a court martial, charges of culpable irresolution and lack of judgment. Before the court had time to sit, he died of worry and a broken heart. Red tape would not allow the case to be taken up or settled after his death. To this day, many good authorities claim that his seeming lack of energy and aggressiveness was proper conduct, dictated by a desire to avoid needless and profitless slaughter. His son and successor in the baronetcy and of the same name, became a distinguished clergyman of the Church of England, the friend and pupil of John Keble, and an enthusiastic promoter of the so-called Tractarian movement at Oxford.

Sir John Coape Sherbrooke, appointed Lieutenant-Governor of Nova Scotia in succession to Sir George Prevost, was a British officer of great distinction. He was the first of five successive Governors of our Province who could claim the glory of having fought under the illustrious Wellington. Appended to Martin's "Life and Letters of Viscount Sherbrooke"—better known in the mid-Victorian period of English Parliamentary history as Robert Lowe—is a brief memoir of Sir John, who was Lowe's uncle by marriage—Lady Sherbrooke and Mr. Lowe's mothers being sisters—and also a somewhat remote kinsman by blood. This memoir contained extracts from a diary kept by Sir John, concise and not altogether continuous; personal letters from the Duke of Wellington, Sir John Moore, and

other military contemporaries and friends, not elsewhere published, and interesting memorabilia of various kinds.

From this we learn that the sight of Nova Scotia obtained from the deck of His Majesty's ship *Manilla,* as she approached Sambro in the early dawn of October 16, 1811, was not his first view of our rocky southern coast. Many entered the army in 1780, in 1784 he obtained a captaincy in the 33rd regiment of the line, at a time when that celebrated troop was doing duty in Nova Scotia. We learn that he joined the regiment here, that is all. Where the 85th, from which he was exchanged, was stationed at the time of his transfer, we are not informed. The regiment sailed from Halifax to England in 1785, Sherbrooke sharing its various fortunes by field and flood for many years. Later in life, long after the return to England from Nova Scotia and Canada, and his retirement from all service, civil and military, he was, as a mark of honor, designated full colonel of his old regiment. This he regarded as the crowning honor of his life. He enjoined by his will that "Colonel of the 33rd regiment of foot" should be the only words of titular destination engraved on his tomb stone.

As to his first sojourn in Nova Scotia (1784-5) the muse of history records but a single incident, and that lies entirely outside the sphere of military affairs in the occult and nebulous realm of unreality and apparition.[1]

SHERBROOKE'S MILITARY RECORD.

Space limitations forbid our touching on the military career which followed at more than a point or two. John Coape Sherbrooke and Arthur Wellesley became in 1794 twin lieutenant-colonels of the 33rd, and spent six years together in closely associated regimental service. Sharing a common duty they followed the fortunes of the regiment to whatever quarter of the globe the war trumpet might summon it. This association laid the basis of a most intimate and brotherly friendship. The young lieutenant-colonels were together in Flanders, in the West Indies, and in 1797 landed in India. It did not fall to Wellesley's lot to take part in the storming of Seringapatam—sufficient opportunity to distinguish himself came later—but Sherbrooke was placed at the head of one of the storming parties, the one

[1] The story of "Wynyard's Ghost" is told in the Appendix.

on whose operations the question of success or failure mainly depended. Seringapatam fell. Tippo was slain. Major-General Band, the officer in command of the siege reported to the Commander-in-Chief: "If where all behaved nobly, it is proper to mention individual merit, I have no one so justly entitled to praise as Colonel Sherbrooke to whose exertions I feel myself much indebted for the success of the attack." To the colonel who had fought so bravely were awarded Tippos's curved sword, with its blade inlaid with mother of pearl, his rhinocerous-horn drinking cup which he exclusively used to avert danger from poison, his bridle, saddle and holsters. All these are to this day most sacredly preserved as priceless heirlooms at Oxteth, the Sherbrooke family seat in England. Close beside these, we are told, is a casket containing Sir John's private diary and the personal letters of his illustrious friends, the Duke of Wellington and Sir John Moore.

After Seringapatam came eight or nine years of either enforced idleness or easy work. The climate of England had produced its usual effects on European constitutions. He returned to England invalided. As health came back—it was never fully restored—he was assigned easy duty on the Home Station, and finally was sent to replace Sir John Moore, who was soon to meet his tragic death at Corunna, in some special, semi-military, semi-diplomatic, duties at Messina.

On January 2, 1809, he was notified that he had been placed on the staff of the army serving under the Minister in Spain. His diary enables us to trace his movements from the date given until his arrival in Lisbon on the 12th of March. A budget of letters for Sir John Moore and other officers in the Peninsula was entrusted to his care. At Portsmouth he received instructions from Lord Castlerigh to despatch the letters by a special messenger. The messenger sailed on the 5th for Corunna and "I"—so Sherbrooke records in his diary—"also wrote to Sir John Moore by the same conveyance." Those letters Moore never read. Four days after the *Iris,* the frigate conveying them, had sailed, and before she was half across the Bay of Biscay, our immortal hero had fallen at Corunna. His military record was indeed a brilliant one, and he served his country most faithfully and well.

When Sherbrooke landed in Portugal, he found Moore dead. Sir Hugh Dalryample superseded, and Arthur Wellesley, commander-in-chief of the Peninsular armies. Appointed to the position of second in command, he soon had placed in his hands from his new commander, an old friar, a letter of detailed instructions, but with the following personal preface: "I have received your letter of the 25th, and I assure you that I derive great satisfaction from the renewal of our old connection and friendship, and that I am convinced I shall derive the greatest advantage from your advice and assistance." Sherbrooke went at once to the front.

The Wellington despatches bear abundant testimony to his activity and to his old comrade's appreciation of his reliant deeds. When a different task was to be performed—a weak point strengthened or a strong one taken—"dear Sherbrooke" was pretty sure to be the man selected to accomplish it. His star performance was at the battle of Talavera, the first of Wellington's great Peninsular victories, and one to which he attached supreme importance, and the first occasion on which on a large scale he pitted British troops against the veterans of France. Moreover, he alluded to it as a hard-fought action with more than double our numbers and enormous losses in killed and wounded on both sides. "I have every reason to be satisfied," Wellesley wrote to Lord Castlereagh, "with the conduct of all the officers and troops. I am much indebted to Lieutenant-General Sherbrooke for the manner in which he led on his division to the charge of the bayonets." This emphatic commendation was reinforced by the general order from the House Guards: "The Commander-in-Chief has received the King's commands to notify to the army that the conduct of Lieutenant-General Sherbrooke, second in command, has entitled him to the King's marked approbation. His Majesty has observed with satisfaction the manner in which he led on the troops to the charge with the bayonet, a species of combat which on all occasions, so well accords with the dauntless character of British soldiers." Sherbrooke had conferred on him a knighthood, and had the gratification of receiving from the hands of his great commander a distinction which he valued still more highly.

To Lieutenant-General, Sir J. Sherbrooke:

Badajos, Oct. 5, 1809.

"I received last night a letter, of which I enclose a copy, con-

taining the King's commands to invest you with the Order of the Bath, which I shall carry into execution with great pleasure either to-morrow or next day, if you will come over here. Let me know which day will be convenient to you, that I may make arrangements to do the business in a suitable manner. Send me over the insignia and any paper you may have received with them. Bring with you the general officers and staff of your division and the commanding officers of the battalions of the Guards."

Talavera marked the close of Sherbrooke's career in the Peninsula. Another physical break-down. During his illness he received every attention from his old friend the Commander-in-Chief, who provided a ship of war for his special conveyance to England. In July, 1811, some fifteen months after his return to England he received the offer of an appointment to the Lieutenant-Governorship of Nova Scotia. His health seemed sufficiently restored to justify acceptance. The following extract from his diary is not without interest:

"Aug. 12th (1811). Put upon the staff of Nova Scotia as Lieutenant-Governor.

Aug. 19th. Date of my commission as Lieutenant-Governor of Nova Scotia.

Sept. 5th. Arrived at Portsmouth.

Sept. 7th. Received my commission as Lieutenant-Governor of Nova Scotia from Greenwood's, who paid one hundred and nine pounds, fifteen shillings and six pence for the fees and stamps upon it.

Sept. 8th. Received letter number one from Lord Liverpool (with three enclosures) date Aug. 21, which I acknowledged (the ship being under sail at the time) from off Cones and sent my letter on shore to be put in the post office there by Lord George Seymour.

Sept. 8th. Sailed from Portsmouth.

Oct. 16th. Arrived at Halifax, Nova Scotia.

The new Governor was called on at once to face an awkward situation. Without any consultation with the party most concerned, and acting on suggestions from Halifax, the Ministry had gazetted in London the appointment of Michael Wallace, Provincial Treasurer and member of the Council, as Secretary to Lieutenant-Governor Sherbrooke vigorously and successfully remonstrated on the grounds that the appointment was contrary to the precedent twice set by Sir

George Prevost, that it was an interference with his prerogative since he was military commander as well as civil governor, that relying on his power to appoint he had brought Colonel Addison with him to fill the post, and especially that it was improper to place in a private or confidential relation, a public man who was a member of the Council and Treasurer of the Province. This was not the only annoyance to which he was subjected by grasping selfishness. Sir Alexander Croke, not content with a salary double that of the Governor, put in a claim for half of the Governor's salary and the whole amount of accruing fees for the seven weeks intervening between Sir George Prevost's departure and the arrival of Sir John Cooke Sherbrooke. Sir John rebutted this disgracefully mean claim by pointing out that a preceding similar one made by the avaricious judge during Prevost's term had been rejected; that he was at his post within the seven weeks of his appointment, and that Dr. Croke wanted to pocket five hundred pounds as his share of the proceeds of a seizure of flour made during the short time he was in office.

At the general election held shortly after the ascension of Sir John Sherbrooke to the governorship the following members were returned to constitute the 6th General Assembly of the Province.

County of Halifax: Ed. Mortimer, S. G. W. Archibald, S. B. Robie, William Lawson.

County of Annapolis: Thomas Ritchie, P. Wiswell.

County of Lunenburg: L. M. Wilkins, F. J. Rudolf.

County of Cumberland: Thos. Roach, Henry Purdy.

County of Kings: Jonathan Crane, John Wells.

County of Queens: Snow Parker, George Collins.

County of Hants: W. H. O. Haliburton, Shubael Dimock.

County of Shelburne: J. Van Buskirk, James Lent.

County of Sydney: John Ballaire, John G. Marshall.

Town of Halifax: J. S. Pyke, Jno. Pryor.

Town of Truro: Jas. Kent.

Town of Onslow: Nathaniel Masters.

Town of Londonderry: James Flemming.

Town of Annapolis: John Harris.

Town of Granville: Isaiah Shaw.

Town of Digby: John Merrick.

Town of Lunenburg: John Creighton.

Town of Amherst: Edward Baker.

Town of Horton: Samuel Bishop.
Town of Cornwallis: W. A. Chipman.
Town of Lorenport: Jos. Freeman.
Town of Windsor: Loran DeWolf.
Town of Falmouth: John Manning.
Town of Newport: John Allison.
Town of Shelburne: Colin Campbell.
Town of Barrington: John Sargent.
Town of Yarmouth: Samuel Marshall.

Most of the leaders of the previous Assembly are in their seats again—Archibald, Robie, Ritchie, Wilkins, Crane and Haliburton. Changes in the representation—particularly in that of the townships, are quite numerous. John George Marshall—whom as "Judge Marshall" many still living can recall, makes his first appearance in public life. Wilkins was re-elected Speaker. The Assembly held six sessions during the Sherbrooke period. The Governor's relations with the members throughout were exceedingly cordial and friendly. There was but little opportunity for domestic legislation, war issues predominating at most of the sessions:

A matter left standing over from Sir George Prevost's period was brought up again at this session and finally settled. Sir George had suggested that the Crown might be advised, or ought indeed be willing, to suspend its demand for quit-rents, on condition that the Assembly would make financial provision for the clergy of the Church of England. A despatch for the Ministry confirming Sir George's proposal was communicated to the House by the Lieutenant-Governor, whereon the following resolution was adopted: "Whereas, the inhabitants of this Colony are composed of persons professing various religious sentiments, all of whom since the first settlement of this Province have been exempt from yielding any support to the Church of England, except such as propose to be members of that church—the House of Assembly, anxiously desirous of preserving harmony among all denominations of Christians, cannot agree to make provision for the clergy of the Church of England out of the public treasury or in any way raise money by taxes on the classes of Christians for the support of that Church." At the same time the Assembly adhered to its strongly expressed views that the collection of quit-rents should be suspended or abolished.

When Sir John left England for Nova Scotia, Europe was in arms from the Straits of Gibraltar to the Gulf of Riga. Within a year of his arrival at Halifax the flames of war lit in America as well. A few years before, when he was serving in Sicily, Sir John Moore, in transmitting a budget of news from London, had written that "Jefferson and those fellows in America were bent on war." Sherbrooke had not been long in Halifax, when he became sure that Wolfe's view was correct. He began at once to prepare for its realization. The usual policy of depriving Halifax of naval defense during the winter months he condemned as criminal folly at such a time of impending danger. He applied for reinforcements and asked the Admiral to do the same. Preparations for the anticipated war were well under way when on June 18th (1812) the United States Congress and President declared war against Great Britain. On the 27th, H. M. S. *Belvidere* came limping into Halifax with wounded captain and dead seamen, to testify that the first shot had been fired. A special war session of the Legislature was summoned. As the regular troops at his disposal were few, he requested the House to make special financial provision for the militia on which the Province must depend for its protection. The Assembly responded liberally to that and to all others of the Governor's demands; 8,000 pounds for block houses; 12,000 for the embodied militia; 10,000 for future enrollments; 30,000 (to be borrowed) for defenses. The Council ventured an attempt to interrupt this stream by an amendment to the appropriation bill, but their impediment was swept away by the rushing tide of enthusiastic liberalty. "The House can never"—much less now—"admit it to be the right of H. M. Council to amend a money bill." Money being forthcoming, no pains were spared to put the province in a satisfactory state of defense. In New Brunswick, which from the beginning Sir John thought to be the specially weak point, Fort Cumberland and the other forts were repaired. Guns were mounted at the mouths of the more exposed harbors in both Provinces. Everywhere there was apprehension of danger and there was an enthusiastic determination to meet it with courage.

The general course of the war, either on land or sea, does not as to its destructive details, belong particularly to the history of Nova Scotia, though Nova Scotia stood to be powerfully affected, one way or the other by its general result.

CHAPTER XII.

THE ASHBURTON TREATY—THE NORTHWEST ANGLE CONTROVERSY—GOVERNOR PARR'S RECORD—BOUNDARY DISPUTE—THE WAR OF 1812.

The Ashburton Treaty was received with well-nigh universal condemnation by all parties. In New Brunswick this feeling persists to the present day. Not only do most prominent men of the Province, whenever the subject comes up in conversation, vigorously assert that the Province was robbed of her rights by that Treaty, but the same statement is made from time to time by public speakers and by the newspapers. It may be said that this view is still generally held in the Province. Few, if any, of these speakers, however, have ever examined into the subject in the least, nor can they even mention where the evidence upon the subject is to be found. Obviously this view is by no means an "opinion" as the holders believe; it is simply an inherited unreasoning prejudice. On the other hand, the few New Brunswickers of the present time who have examined the original sources of information have come to the conclusion that, in the question of the northwest angle, Maine was technically right and New Brunswick wrong, and that the Ashburton Treaty took from Maine and gave to us a great territory to which we have not a technical right. Thus James Hannay, our best known New Brunswick historian, has expressed this view more than once in his articles in his newspaper, the St. John *Telegraph*. Again, Rev. W. O. Raymond, who has investigated the whole boundary question with a richer collection of original materials before him than any other of our writers has had, has long since come, as shown in his correspondence with me, to the same conclusion. Again, in my own case, as a thorough New Brunswicker, I inherited the old prejudice, assuming as a matter of course that we must be right and the other party wrong, and I have abused Lord Ashburton as roundly as anybody for what I supposed was his betrayal of the interests of the Province. But when I began to examine for myself the original documents, and maps, I found difficulty in reconciling them with this view, a difficulty

which increased with further examination, until finally I was forced to the belief that in this dispute Maine was technically right and New Brunswick wrong, and that the Ashburton Treaty gave us a territory to which we were not entitled under the Treaty in 1783. And I would ask my countrymen whether we have not advanced far enough from the partisan passion inseparable from the active debate upon such a question, to suspend our prejudices and replace them by opinions based upon an inquiry into the evidence. I by no means maintain that such an examination will necessarily lead to the view I myself take, but I do maintain that is is the only proper method for reaching a conclusion worthy of reasonable and fair-minded men.

Since the evidence upon the subject is widely scattered in the preceeding pages, I shall here summarize it, and follow it by a brief of the whole subject. Here as elsewhere in this work I am by no means concerned to make out a case for one side or the other, but I try to present the facts impartially upon both sides.

WHY MAINE WAS RIGHT.

Following are the reasons why I think that Maine was right and New Brunswick wrong in the northwest angle controversy:

The original charters, documents, maps, etc., when calmly examined by themselves (not as quoted and commented upon by the partisan advocates of either side) seem to me to point irresistibly to this conclusion. Compare the wording of the Proclamation of 1763 (page 220), the commissions of 1763, and later (page 223), the act of 1774 (page 220), the treaty of 1783 (page 241 also 300, and all the maps of the time (page 239).

The principal men of New Brunswick, those whose duty made them examine minutely into all the documents of the case, namely, Governor Carleton, Ward Chipman and Edward Winslow, all admitted without the least question the full American claim (see the letters on pages 310-313); they realized fully the disadvantages of the boundary thus allowed, but hoped to remove them by some special arrangement.

The British claim to the Mars Hill highlands as a boundary did not make its appearance until after 1814; it was tentatively advanced in 1815 (page 322), had not been elaborated in 1817 (page 319), and made its first formal appearance in the controversy in 1812 in the

argument of Ward Chipman, who, in one of his private letters speaks of it in such a way as to imply that it was being formulated by himself (page 319). Why, if this was the true boundary, did not Great Britain advance it earlier in the controversy?

As will be shown later in this paper (under the interprovincial boundaries), as soon as the treaty of 1842 was signed, an active dispute arose between New Brunswick and Quebec as to their interprovincial boundary, and New Brunswick claimed as her northern boundary the highlands south of the St. Lawrence; but since, by the Treaty of 1783, the western boundary of New Brunswick was the eastern boundary of Maine, this was granting the Maine claim. Quebec, on the other hand, claimed as a boundary the Mars Hill highlands; if Great Britain's claim to an interprovincial boundary on those highlands was correct, then Quebec's claim was correct, but Great Britain never admitted it. During the controversy the agents of both sides more or less distinctly admitted the justice of the American claim . . . . It is almost safe to say that every Canadian and Englishman who has really examined thoroughly the original sources of information (not simply the writings of the Agents and other partisans) upon this subject, and who has not been committed to the English view by some official connection with the British advocacy of the British claim, has come to the conclusion that the American claim was technically correct. . . . .

The legal claim of Maine, therefore, seems to me justified by the documents in the case, by the opinion of contemporary New Brunswick and British authorities, and by the decisions of eminent Englishmen since.

We may now resume the subject in the following brief:

In the early part of the seventeenth century, when this region was wholly unsettled, Great Britain made grants to her subjects here, with generalized boundaries based upon imperfect knowledge, but ample for the purpose of the time.

After many vicissitudes the whole country passed again into the possession of England in 1763; the region with which we are concerned was little more settled than earlier, and, to make convenient divisions. Great Britain, while establishing some new boundaries, reaffirmed the old boundaries as far as they existed.

These boundaries, old and new, however, happened to so run

that one of the three Provinces thus bounded in 1763 lay in between the other two like a wedge, even cutting across the only possible line of communication between those two. As long as the country was a wilderness or as long as the three provinces remained under one government, this did not matter.

The revolution came, two of the provinces remained loyal, but the one between them joined those in successful revolt. When peace came, the boundary between the latter and the former naturally became the international boundary line.

But now that they belonged to different nations it was found that the angle of Massachusetts, while of slight value to her, was invaluable to Great Britain, because through it only could the two Provinces communicate. Obviously that Massachusetts possessed this angle was through no merit or foresight on her part, it was a pure piece of luck falling to her because the way the old boundaries had happened to run; that Great Britain did not possess it was no demerit or lack of foresight on her part; it was a pure piece of bad luck over which she had no control.

England naturally made overtures to have some readjustment made which would give her a free communication between her Provinces, but the United States took full advantage of her accidentally acquired rights and refused any accommodation whatever.

An accommodation being found to be impossible, Great Britain had to win the invaluable territory by diplomacy. An examination of the words of the treaty showed that while their intention was plain, they were drawn in ignorance of the true topography of the country, and did not exactly fit it; this defect in the wording was a pure piece of luck for Great Britain, and enabled her to avoid granting the line of the Treaty and to keep the question open.

Great Britain then set up an extreme claim in opposition to that of the United States; it was advocated by her ablest diplomatists, and after prolonged discussion she succeeded in 1842 in securing a decision which gave her, not the most advantageous line, nor her full claim, but one which secured the communication between her two Provinces.

The Septennial Bill, so-called, having become a law, the House elected in 1785, passed out of existence in 1792. The election of members of the new Assembly was held in March, 1793. After it was

over, Governor Wentworth reported to Mr. Dundas that "the elections were conducted with unexampled moderation and good order, notwithstanding there were many candidates."

The following is a list of the members elected according to the primary returns. One or two changes resulted from the unseating of members originally declared elected by the sheriffs:

County of Halifax—Jonathan Sterns, James Michael Freke Bulkeley, Lawrence Hartshorne, Michael Wallace, Esq'rs.

County of Cumberland—William Freeman, Esq'r., Samuel Embrie.

County of Lunenburg—John William Schwartz, Esq'r., Edward James.

County of Annapolis—Thomas Millidge, Esq'r., James Moody.

Queen's County—Simeon Perkins, Benajah Collins, Esq'rs.

County of Shelburne—Stephen Skinner, Esq'r., James Humphreys.

County of Hants—Hector McLean, William Cottnam Tonge, Esq'rs.

Kings County—Jonathan Crane, Elisha Dewolf, Esq'rs.

County of Sydney—John Stuart, Thomas Cutler, Esq'rs.

Town of Halifax—John George Pyke, William Cochran, Esq'rs.

Town of Truro—Matthew Archibald.

Town of Onslow—Charles Dickson, Esq'r.

Town of Londonderry—Robert McElhinney.

Town of Amherst—Thomas Lusby.

Town of Lunenburg—John Bolman.

Town of Annapolis—Thomas Barclay, Esq'r.

Town of Granville—Alexander Howe, Esq'r.

Town of Digby—Henry Rutherford.

Town of Liverpool—Samuel Hart.

Town of Shelburne—Colin Campbell, Esq'r.

Town of Barrington—John Sargeant.

Town of Windsor—John McMonagle, Esq'r.

Town of Falmouth—Jeremiah Northup, Esq'r.

Town of Newport—Shubael Dimock, Esq'r.

Town of Horton—Samuel Leonard, Esq'r.

Town of Cornwallis—William Baxter.

Town of Yarmouth—Samuel Sheldon, Esq'r

This Assembly may be said to represent the high water mark of direct Loyalist influence in the House. Of the thirty-nine members, thirteen or fourteen were Loyalists of the original planting. Two Loyalists were put in nomination for the speakership, Barclay and Sterns, the latter withdrawing. At this time, the following prominent posts in the Province were filled by gentlemen who had but recently made Nova Scotia their home: Governor, Bishop, Attorney-General, and Speaker of the Assembly. Within a year, this list was to be increased by the addition of Chief Justice, Attorney General Blowers receiving that appointment on the retirement of Thomas Andrew Strange[1] in 1797. In connection with this resignation and promotion, Solicitor-General Uniacke was advanced to the Attorney Generalship and was succeeded as Solicitor-General by Jonathan Sterns, a prominent Loyalist. In the Council the old Nova Scotia element still predominated, but several of the members were old and infirm, and as vacancies occurred Sir John Wentworth's nominations were generally of gentlemen whose fortunes had been similar to his own.

A comparison of the above list with that representing the membership of the previous House reveals some noteworthy changes. Richard J. Uniacke, the Solicitor-General, who had sat in the last Assembly for Halifax County, and who after the removal of Blowers to the Council had filled the Speaker's chair, vanishes for the time from our legislative halls. A few years later when a vacancy occurred in Queen's County, he was elected to fill it. He does not appear to have been a candidate for any constituency at the general election. Neither were two of his former colleagues, Morris and Pyke. Wallace, the third one, retained his seat but came in at the foot of the poll. This seems to have been the first election in which a distinct poll was held in that part of Halifax County which is now embraced in the counties of Colchester and Pictou. The only polling places for that immense district stretching from Merigomish to Five Islands was at Onslow. Four years later, a second county poll was opened at Walmsly (Pictou). On this occasion the polling at Onslow did not

[1]Though Chief Justice Strange left no particular memorial to connect him with the history of Nova Scotia, he acquired considerable renown in his later life in India. He is known as one of the most distinguished of Indian jurists. The Dictionary of National Biography speaks of his work on "Hindoo Law" as "a great book," and as still an authority on its subject. He did not die until 1842. Quite a protracted evening of life was spent in England.

affect the result, the candidates at the close standing in the same order as when they left the City.—Mr. James Fulton, the Cobequid candidate received only twenty-four votes, all polled for him at Onslow. Colchester and Pictou did not hide their light under a bushel, when the next election came round. When that time is reached we shall find that united support placed a non-resident, Mr. Tonge of Windsor, at the head of the poll, while their own candidates, Mortimer of Pictou and Fulton of Londonderry, followed in the second and third places.

GOVERNOR PARR'S RECORD.

Governor Parr died in November, 1791, after presiding over the destinies of the Province for more than nine years. He was a common place sort of man, with endowments so mediocre that it would be cruel to say anything harsh of him. The writer of the official notice in the *Gazette* steers pretty skilfully between Scylla and Charybdis: "The welfare and happiness of His subjects in this Province was his invariable study and pursuit." No one would think of charging Governor Parr with disposition or desire to do anyone harm or wrong. Murdock apparently forgetting that Parr was at the helm when Nova Scotia was sailing over the troubled waters of the Loyalist settlement, is not very happy in his estimate: "He left us no indication of extraordinary ability, but seems to have been the very man to suit the time in which he acted, being plain, simple and diligent." Plainness and simplicity—diligence is always in order—were not just the qualities needed to save Nova Scotia from dismemberment. The interval between the settling down of the Loyalist influx and the breaking out of French Revolution, whose thunders were beginning even then to shake the earth, Murdock regarded as "one of the happy and halcyon days of Nova Scotia." It is rather difficult to say whether he intends to give Parr credit for creating this era of tranquility or simply for not disturbing it. While waiting for a new Governor to appear in the story, we may take up a matter which was engaging Parr's attention when the fatal summons reached him. On the 17th of November he met his Council and "asked their advice in the removal of people of color from this Province to Sierra Leone," informing them that Mr. Dundas had directed him to hire shipping for the purpose. Murdock makes no further reference to this proposed deportation of negroes

until he reaches the record of the following January: "On Sunday the 15th January, 15 vessels sailed from Halifax for Sierra Leone, carrying colored people thither. The number of passengers was stated as 1200. The hire and demurrage of these vessels amounted to three thousand nine hundred and sixty-five pounds, eight shillings sterling, paid by the British government. Lieutenant Clarkson and Lawrence Hartshorne acted as agents for the Sierra Leone Company. Mr. Michael Wallace attended to the business on the part of the government. The English government paid thirteen thousand nine hundred and fifty-two pounds for expense of transportating the black people." Several questions suggest themselves. First, what was the Sierra Leone Company, and why was it proposing to deport Nova Scotian negroes—or negroes to Sierra Leone? The Sierra Leone Company was a highly capitalised or organisation of English philanthropists, who were acting on the hypothesis that the only effectual way of scotching the slave trade was by civilising and Christianising Africa itself. A more fundamental hypothesis still was that to accomplish this latter object the proper method was to plant on the shores of the Dark Continent colonies of civilised and Christianised negroes. The chief promoters of the scheme were the very men who later slew the dragon of iniquity by the mere force of an aroused public opinion, Thornton, Sharpe, Zachary MacCaulay and William Wilberforce. Sierra Leone, a combine of barren rock and pestilential jungle, and with a temperature whose heat was only exceeded by its humidity, was chosen as the seat of this philanthropic experiment. But where were the civilised and Christianised negroes necessary for the experiment to be found? Why, in England and in Nova Scotia, in both of which places cargo after cargo of slaves from the southern Provinces had been taken during the War of American Revolution. Lieutenant Clarkson, who is represented by Murdock as acting in conjunction with Mr. Hartshorne of Halifax as agent of the company, was a brother of Thomas Clarkson the philanthropist, one of the principal promoters of the company. The Nova Scotia colored contingent for the moral and spiritual redemption of Africa was collected chiefly in Dartmouth, Preston, and Birchtown. Clarkson kept a diary during his stay in Nova Scotia, which has been published and made the basis of an interesting article by Sir Adams Archibald in the seventh volume of the Collections of the Nova Scotia Historical

Society. The agent reached Halifax some time before Parr's death but was unable to secure the Governor's acquiescence in the project.[1] Bulkely succeeded Parr as *ad interim* administrator. The scheme was somehow rushed through, and the expedition for Sierra Leone was on the sea, before the new Governor, Sir John Wentworth, arrived. It may be added that Clarkson made tempting offers to facilitate his object. To each settler producing a certificate signed by himself or Hartshorne was to be given a grant of land at Sierra Leone, twenty acres for himself, ten for his wife and five for every child. Clarkson's diary closes with a report of the voyage.

He was very ill himself. Two of the captains and more than sixty of the Negroes died. From other sources it is learned that the vessels from Nova Scotia were the first to reach Sierra Leone and so it devolved on Clarkson to oversee the settlement of the colony. A year or so later he was appointed Governor, to be succeeded by Zachary Macaulay. In that inimitable book, Travelyan's *"Life and Letters of Lord Macaulay,"* there is to be found the name of but a single Nova Scotian. It is that of David George, the pious negro preacher of Shelburne.[2]

SIR JOHN WENTWORTH.

On May 12th (1729 the new Lieutenant-Governor, John Wentworth, arrived, five weeks from Falmouth in His Majesty's ship *Hussar*. Wentworth was destined to hold the office to which he was now appointed longer than any of his predecessors, or, so far, any of his successors have done. He was the last Royal Governor of New Hampshire, and when he received the appointment was simply a Loyalist exile. Sabine's *American Loyalists* draws this picture of his

[1](The place where the conversation was held was Governor Parr's dining room.) "This conversation gave the Governor an opportunity of starting difficulties, as the accomplishment of the plan, which I was obliged to cut short by saying that it should not prevent me from exerting myself to forward the business, as I was confident that neither government nor the company would suffice me to sail from hence if they thought there was any danger from the natives; and that we should have sufficient time to know the particulars before we could possibly be ready to sail. The conversation dropped by the Governor's pushing about the bottle."—Extract from Lieutenant Clarkson's diary.

(Zachary Macauley is writing from Sierra Leone to his Board): "The Baptists under David George are decent and orderly, but there is observable in them a great neglect of family worship, and sometimes of unfairness in their dealings." We quote this, for Zachary Macaulay rarely praised anybody, not even his own brilliant son. Besides, we knnw that "the Clapham Set" had an almost unwordly standard of financial probity and that their family prayers were inordinately long.

pre-Nova Scotian career: "He was an excellent public man in almost every particular, in business few surpassed him in promptness, intelligence and efficiency. His talents were of a high order, his judgment was sound and his views were broad and liberal. The Universities of Oxford and Aberdeen, too, generally unmindful of the merits of colonists—conferred on him the degree of Doctor of Laws. He was the friend of learning and gave to Dartmouth College its charter rights. He did much to encourage learning."

For more than a year events had been gravitating towards war. The underlying question was whether England would formally recognise the New French Republic. Pitt waited for the development of grounds on which to base a positive refusal. France supplied the necessary grievances. She opened the navigation of the Scheldt in violation of treaty, and to the detriment of Holland, an ally whom England was bound by another treaty to protect from anything that savored of invasion. More important still the national convention issued the fatal decree of November 19th, which declared the purpose of the French nation to accord fraternity and succor to all oppressed people willing to make a fight for liberty. All attempts to explain away the significance of this famous pronunciamento proved unavailing. The opening of the Scheldt was a comparatively small matter, so long as Holland, the really aggrieved party, did not complain. Still it was an insulting act of aggression, which England, whose policy was not to impose her will on other nations, but to see that other nations acted up to their treaty obligations. As to the other matter it was fundamental and vital. France throws down the gage of war when she asks England to permit her to concern herself with the strictly internal affairs of neutral countries and to establish universally her own revolutionary principles.

On February 1, 1793, France declared war against England and Holland. On February 9th, George III, probably foreseeing but dimly the titanic and protracted struggle thus initiated, wrote as follows to his minister, Lord Grenville: "The confirmation of the step taken by the faction that govern in France, of jointly declaring war against this kingdom and the Dutch Republic, is highly agreeable to me, as the mode adopted seems well calculated to rouse such a spirit in this country, that I trust will curb the insolence of these deposits, and

be a means of restoring some degree of order, to that unprincipled country, whose aim at present is to destroy all."

Without delay Sir John Wentworth was notified of the momentous step, and was informed that he might count on the issue of "letters of marque of commission of privateers, granted in the usual manner." The latter piece of information bore fruit. Sheriffs were ordered to declare the war in their respective counties. Sir John was a most hospitable entertainer and set before his guests a bountifully supplied table, but at that critical moment he suggested to the people the propriety of a general fast.

The direct impact on Nova Scotia of the war that grew out of the French Revolution was but slight; and a very general and cursory account of such military and naval transactions as did more or less remotely connect themselves with our Province will suffice. Retired Loyalist officers were quick to respond to the call to arms, none more so than the Annapolis County neighbors, Barclay, Millidge and Bayard. Distinguished officers were willing to attach themselves to newly formed regiments, "upon half pay only and without claim to rank." Wentworth describes these self-sacrificing majors and captains as "preeminently distinguished for their military accomplishments." It was decided to call Wentworth's own regiment of 1000 men composed mostly of privates who had served in the late war, the Loyal Nova Scotia Regiment. The Halifax garrison was in a rather reduced state, but "about 60 freeholders were formed into artillery, and are now practising with great assiduity, under the instructions of the detachment to Royal Artillery in the garrison." Evidently Nova Scotia was getting into good shape for defence should the revolutionary madcaps come over and attack her.

There were sundry reports of French fleets, frigates and privateers hovering round the coast, but the ship of war, *Hussar,* Captain Rupert George, who soon "hoisted a broad pendant as commodore on this station," seemed adequate to ward off all danger. H. M. S. *Alligator,* on her way from Portsmouth, captured two French privateers and two French West Indiamen, with cargoes valued up to forty thousand pounds. So Captain Affleck of the *Alligator* was assigned the duty of laying siege to St. Pierre, reported to be in a rather helpless condition. To fully equip the captain for what turned out to be a rather easy task, Governor Wentworth considerately supplied him with thirty-

three volunteers, two officers and a pilot, Captain Meagher, of Musquodoboit."

Both the *Hussar* and the *Alligator* were allowed to do a moderate amount of impressment.

THE FALL OF ST. PIERRE.

St. Pierre fell without striking a blow in its own defence, though the captors came into possession of eight "26-pounder guns" and "1502 inhabitants." The decision was reached to convey the fishermen and troops to Halifax, and leave the rest "until H. M. pleasure should be known." In the meantime the *Alligator,* with five transports, got back to Halifax, conveying from 500 to 600 prisoners. the latter was Monsieur Danseville, Governor of the Island, who was allowed the liberty of the town. Governor Wentworth had two disputes or differences of opinion, with Major-General Ogilvie, Commander-in-Chief. The Governor had hired and specially fitted up Melville Island for the accommodation of the St. Pierre prisoners, the commandant insisted on their being lodged in the Cornwallis Barracks. The other point of disagreement was somewhat more important, especially to the Governor. His complaint was that General Ogilvie would not have the Loyal Nova Scotia—his own—regiment mustered, or acknowledged as a corps in the King's service, although it was doing more than three-fourths of the garrison duty, while one officer and sixteen men had to keep guard on board of a schooner in the lower harbour by the General's own command. The regiment was mortified and discouraged, not being treated as the regiments in New Brunswick.

The Governor was well satisfied with the Acadians and the Catholics in the Province, as "loyal subjects." But he was exceedingly suspicious of the prisoners from St. Pierre. They were "violent democrats to a man," and their corrupting influence was pervasive, reaching even to the French Acadians at Arichat, whose "minds they had poisoned with democracy." Verily the noxious leaven of *sans culottism* was working widly and with a vengeance. After a while the Governor got rid of the dangerous democrats by having them sent to the lock-up in Guernsey.

Then came an event which challenged the various grades of official high and low, to the exercise of their best powers of undiscriminating eulogy. Prince Edward, the King's fourth son, arrived at

Halifax from St. Kitt's. Everything in the shape of a cannon that could be laid hands on, on shore and on ship-board, was requisitioned to give him a thunderous welcome. But the reverberations of the guns were as nothing in comparison with the verbal salvos. The Governor and Council led the way, saluting the modest young officer as "heroic offspring of highly revered parents,—of a King, the undoubted father of his people,—of a Queen, the unrivalled pattern of her sex." The magistrates fell several notes below this, and their tamer language need not be quoted. The Bishop and his clergy, however, made ample amends for the drop, and raised panegyric to its highest point: "Your progress, Sir, to this part of His Majesty's Dominion has been strongly marked by a variety of hazards, whilst we admired that heroic ardor and intrepidity which, at the call of duty and honor, led to spurn every danger from fatigue through inhospitable wilds—from the extremes of climate—from avowed enemies, and from others who were secretly hostile, we were greatly agitated, and felt the utmost anxiety for your safety. Like the celebrated Roman, who is equally memorable for the number of his victories and for the celebrity of his military movements, you flew to the embattled posts of your armies, like him, you came—you saw them— you conquered."

THOMAS BARCLAY—NOTED LOYALIST.

Thomas Barclay, if not, as so many consider him to have been, the ablest of the Loyalists who sought homes in Nova Scotia, certainly transcended all others in the unique interest which attaches to his career as a whole, and perhaps, also, in the meritorious character of the services which he rendered to the Empire. He was born at New York—of course a British subject—in 1753, he died in the same city—still a British subject, in 1830. For a continuous period of nearly fifty years he served the Crown faithfully, either as member of the Nova Scotia Assembly, or as "Consul General for the Eastern States of America." Bred a lawyer, he was a soldier in constant and active service during the war of the Revolution, not seeking military promotion so much as opportunity to show his loyalty by personal effort and exposure. He never rose to higher rank than that indicated by his familiar Nova Scotia soubriquet, "Major Barclay." He

took his preliminary legal training in the office of John Jay, afterwards one of the most reputable civil figures of the Revolutionary period, and some of the provisions of whose well-known Treaty of "Amity, Commerce and Navigation" it became his subsequent duty to investigate and apply. When at the evacuation of New York in 1783, he, with his wife and four children—to whom eight more were subsequently added—took sail for the forests of Nova Scotia, he was penniless except as to the half pay of a retired British officer. By an Act of the New York Legislature of October 22, 1779, he had been attainted and convicted (by name) of high treason; his property was declared to be forfeited to and vested in the people of New York State; he was forever banished; and it was provided that if he should be at any time found within the State, he should be declared guilty of felony and should suffer death without benefit of clergy. It is not necessary to recount Barclay's experience during the seven years that he was on the field. In a letter written to Brook Watson from Annapolis, in 1792, he mentions the circumstances that when serving under Lord Rawdon in South Carolina he was requested by that General to carry his despatches by sea to Lord Cornwallis at Yorktown in Virginia, and while performing this duty was taken prisoner by the French in the naval conflict off the Capes of Delaware, fought between Admiral Graves and Court de Grasse, in September, 1781. Barclay, however, "obtained parol and arrived in New York in time to give the Commanders-in-Chief both by sea and land very full and necessary information," information, alas! which, however "full and necessary," did not head off very unfortunate events at Yorktown a short while afterwards.

Barclay on reaching Annapolis Basin with other Loyalists in 1783 had assigned him, or perhaps voluntarily undertook, the duty of superintending the settlement of their allotted lands to the soldiers of his disbanded Loyal American regiment who accompanied him to Nova Scotia. The allottment lay in the township of Wilmot—then a "forest primeval" of the densest type. Acadian settlement had stopped at Bridgetown or Paradise, and the New Englanders had not advanced much farther eastward. On Handley Mountain, Barclay and his soldiers set out to carve homes for themselves in the woods. The bitter struggles of those early years need not be reproduced. The leader,

who, as he described himself, was one-fourth Scotch and three-fourths Dutch[1] was not a man to be easily discouraged.

We are told that "with his own hands he levelled the forest on his new possessions, which gratefully rewarded his toil and perseverance; while he converted the settlement of troops into a respectable society of which he soon became physician, pastor, counsellor, and judge. By his industry in farming, he supported a large family, until finding his colony in a prosperous and orderly state, he removed to Annapolis Royal about the year 1789, to pursue his profession at the bar, which he exercised with great success through the Province of Nova Scotia." The parliamentary career of Barclay is embraced in our general record. His discharge of the duties of the General Consulate at New York during the long period stretching between 1798 and 1830 is not a question connecting itself with the history of Nova Scotia. Certain special duties were assigned him by the Imperial government, which would have related to strictly Nova Scotia questions had it not been for the regrettable partition in 1784. To these it is right and proper that we should make brief reference. The first of these assignments belonged to the period when Barclay was in Nova Scotia filling the post of Speaker of the Assembly, and has already been referred to in a general way.

DISPUTE OVER BOUNDARY.

In all the earlier disputes between Great Britain and the United States as to the Eastern boundary line, the controversy concerned the identification of a river called the St. Croix in the Treaty of Independence. The Eastern boundary of the United States was to be a line "drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source and from its source directly north to the aforesaid Highlands." The aforesaid Highlands may for the present be left out of sight; the point to be settled was first of all: "What river was intended by the negotiators of the Treaty under the name of St. Croix."

[1] John Barclay, his earliest American progenitor, came to New Jersey in 1683. He was a Scotchman, brother of Robert Barclay, the celebrated Quaker theologian, friend and coadjutor of William Penn, and unlike Penn, the subject of appreciative reference by Macaulay. John Barclay, on coming to America, abjured Quakerism, which his brother had explained and defended so learnedly and eloquently, and became an Episcopalian. His wife was of pure Dutch stock, as her name, Van Schaiack, betokens. So were the wives of his son and garndson. The later, father of our subject, the Rev. Henry Barclay, was rector of Trinity Church, New York, but one rector intervening between him and Dr. Charles Inglis.

The United States government claimed that the river intended was a stream called by the Indian name of Magaguadavic, and produced Indian testimony to show that by the French it was known as the St. Croix. Great Britain on the other hand, contended for a river called the Schovdic, which emptied into Passamaquoddy Bay some ten miles to the westward of the mouth of the Magaguadavic. The northerly lines run from the sources of these rivers would be five or six times as far apart as the rivers are at their mouth. The ownership of five or six thousand square miles of territory was at stake. The first point in settling the boundary dispute was to decide between the Schovdic and the Magaguadavic.

Jay's Treaty of "Amity, Commerce and Navigation" referred the question to three commissioners, one to be chosen by the King, one by the President, and one by the agreement of the two first named. In case these could not agree, the third commissioner was to be chosen by lot. The true river was to be fixed and described, with a statement of the exact longtitude and latitude of both its mouth and source. The commissioners were to meet at Halifax. The decision of the commissioners was to be accepted by both parties as conclusive and final. The King appointed as British commissioner, Thomas Barclay of Nova Scotia[1]. George Washington appointed David Howell of Rhode Island, the two agreed on Egbert Benson of New York.[2]

The commissioners without great delay or difficulty decided that the schedule should be fixed upon as the original St. Croix. An examination of the reported site of the old de Monts habitation on St. Croix Island settled that point conclusively. The following is Barclay's announcement of the identification to Lord Grenville: "On removing the young growth of wood, which covered the face of that part of the Island, and digging a very little way under the surface, the foundations of the French buildings were found in an almost perfect state, also the brick of which the oven was made. An old metal

[1]The following is in part Barclay's letter to Lord Grenville acknowledging dispatch announcing his appointment: "I entreat your Lordship to lay at His Majesty's feet my most humble acknowledgments for this instance of his gracious favor, and beg I may be permitted to assure your Lordship that I shall by a punctual and diligent attention to the duty committed to me endeavor to merit this mark of His Majesty's confidence."

[2]Not only were Barclay and Benson acquaintances, they were quite close relations—first cousins of half blood. Benson's father was half-brother of Barclay's mother. No hint of unfair or underhand dealing on Barclay's part in bringing about the nomination and choice of Benson has ever been hinted. Benson was an influential Federalist in politics and his choice was naturally pleasing to the administration.

spoon, iron spikes nearly destroyed by rust, pieces of earthen and iron pots, and charcoal in an apparently perfect state but which in being exposed to air, slacked and crumbled into dust. This discovery identifies the Island and River named St. Croix by the French."

There were still difficulties and complications awaiting the commissioners up stream. The source of the river had been positively fixed. At a certain point the Schoudic bifurcates. It was true that the name Schoudic still adhered to the western branch, which Barclay would naturally favor, but the more direct branch, called the Chiputneticook brought down much the larger volume of water and could seemingly establish the stronger claim to be considered the river of the Treaty. After protracted conferences and interminable surveys, the northwest branch of the Chiputneticook, which has extensive ramifications, was fixed on as the St. Croix. A granite monument, approximately at its head, marks the source required by the Treaty.

The ascertainment of the true St. Croix and the determination of its source were not the only services rendeerd by Thomas Barclay to the Crown of great Britain in connection with the international boundary dispute. To say nothing of the yet undetermined line south from the mouth of the St. Croix which involved the ownership of the islands in Passamaquoddy Bay, there remained to be grappled with the main problem of striking the line from the St. Croix's source to the Lake-of-the-Woods. In the East, everything depended on locating "the northwest angle of Nova Scotia," that is, the point where the due north line from the source of the St. Croix strikes certain highlands which divide the rivers which flow into the river St. Lawrence from those which flow into the Atlantic Ocean. For seventeen years after the settlement of the St. Croix part of the question by Barclay, Howell, and Benson, sundry attempts to further negotiate and conclude the controversy accomplished nothing. Meanwhile the War of 1812 had taken place. The negotiators at Ghent took up the boundary question with an earnest effort to effect its prompt and satisfactory settlement. After an effort on the part of the British commissioners to dispose of the eastern difficulty in connection with the northwest angle of Nova Scotia by securing a revision of the boundary and thus avoid all danger of interrupting the communication between Halifax and Quebec, had failed, five articles were agreed on, comprising a plan for fixing the complete boundary

line from Eastport to the Lake-of-the-Woods. One article (IV) appointed two commissioners, one representing each nation, to decide upon the titles to Grand Manan and the Islands of Passamaquoddy; with reference to a friendly sovereign in case of disagreement. By another (V) a similar board was provided to deal with the difficult stretch from the source of the St. Croix, round the northern limits of Maine, New Hampshire, Vermont and New York to the point where the line should reach the St. Lawrence. The problem imposed on this board was to locate "the northwest angle of Nova Scotia." Other article (VI-VII) provided for similar boards to determine the more westerly lines. Article VIII prescribed general regulations.

At the time when these important conclusions were reached Barclay was in England. The war just concluded had necessarily caused him to abandon his post in New York. With the British Minister at Washington, Mr. Foster, he sailed for London in one of His Majesty's ships on the eve of the war, touching at Halifax on the way. Before he had done much sight-seeing, a new line of work which involved his return to the United States, was assigned him by the Imperial government.

PRISONERS A SOURCE OF TROUBLE.

The rapid and enormous accumulation of prisoners on their hands had become a source of trouble and worry to each of the belligerents. The United States Chargé in London before sailing for New York notified Lord Castlereagh of the appointment of an American agent for prisoners of war in Great Britain, and asked that a British agent be named to act in like capacity in the United States. Barclay was appointed as "Accredited agent in the United States for the purpose of attending to the relief of British prisoners, with a salary of two pounds a day, and allowances for clerk hire and traveling expenses." Under this new appointment, he soon found himself in New York again. His experiences when acting as "Agent for prisoners" were not pleasant. Mr. Mason—father of the Senator Mason of "Mason and Slidell" fame—the commissary with whom he acted, and himself were men cast in very different moulds. Barclay was a man of business; Mason was not. The one wished to transact affairs as much as possible by correspondence, with every "i" dotted and every "t" crossed; the other was inclined to trust to casual conversations,

and in general preferred "word of mouth" communication. In the end Barclay's persistence prevailed and an exceedingly voluminous correspondence ensued. This, however, Mason finally cut short, by bringing Barclay to the neighborhood of Washington. We cannot go into particulars. Our subject was pushed about from pillar to post. He was ordered to take up his residence in Blandenburg, but when Admiral Cochran anchored nearby and landed 4,000 troops, he was commanded to remove to Hayerstown. He gave great offence by not getting away from Blandensburg till the morning of the battle, but was able to excuse himself by stating that he "could find no vehicle to carry him away." Before leaving Haarlem for Blandensburg he had despatched his resignation to London. He now asked for a passport to leave the country and was furnished with a berth in the American cartel ship *Fingal*. In November, 1814, he was in London again.[1]

The war was now nearly over. The commissioners at Ghent were busy with their negotiations. On December 24, 1814, the Treaty of Peace was signed. On the 25th of the following June, ten days after Waterloo, Lord Castlereagh personally informed Mr. Barclay, that the government had selected him as British commissioner under Articles both IV and V of the recent Treaty, that it should be his duty to protect imperial interests as to the ownership of the Passamaquoddy Islands and the location of the "northwest angle of Nova Scotia."

In three weeks Barclay was off for America again. His duties as Consul General had been interrupted, but his title to the office had not lapsed. By the first of September he was at his desk again in New York, gathering up in his usual methodical way the threads of suspended business, and awaiting the arrival of his new commission.

The American commissioner associated with him was—under Article IV—John Holmes of Maine, and under Article V, Cornelius P. Van Ness of Vermont. The British agent under both commissioners—as he had been under the St. Croix Commission—was Barclay's

[1]On boarding the *Fingal* off the coast of New Jersey, he found as a fellow passenger, Mr. Marsden, a Methodist missionary, who had formerly labored in Nova Scotia and New Brunswick, and was now on his way home from Bermuda. Mrs. Marsden, who was with her husband, was a daughter of his old Loyalist friend, David Seabury, whom the Assembly had twice unceremoniously ejected from his seat for Granville.

Loyalist friend, Ward Chipman of St. John. The commissioners under both Articles met for organization at St. Andrews, New Brunswick, on September 23, 1816.

The commission under Article IV soon disposed of the Passamaquoddy case, in a manner highly satisfactory to Great Britain and particularly to New Brunswick. The question is one of history rather than of geography. The Article itself admitted that all the islands south of the river St. Croix were to be regarded as belonging to the United States, "Excepting such islands as now are, or heretofore have been, within the limits of the said Province of Nova Scotia." The exception would have probably taken in Moose Island, the site of the town of Eastport, as well as the larger islands, but Barclay himself thought it best to leave it in American possession. Grand Manan, Campobello, and Deer Island were acknowledged to be British, "under good title."

In respect to the task assigned to him under Article V., the location of the "Northwest angle of Nova Scotia" at a point conducive to the interests of Great Britain and New Brunswick, Barclay, we now know, never anticipated success. Earlier British statesmen, seeing that the letter of the Treaty was against them had sought, instead of controversy and legal wrangling, a revision of the Treaty boundaries. At first Ward Chipman himself recognised the difficulty, and, indeed, the impossibility, of throwing serious doubt on so plain a stipulation. As, however, the United States authorities declined to make any territorial sacrifice, or even exchange, to provide for inter-communication between the British Provinces, a fight must be made on the terms of the Treaty.

We venture the assertion that it would be difficult to find language clearer, or in more complete accordance with the facts of geography, than that in which the position of the northwest angle of Nova Scotia is defined. It is the point where the line reaches the highlands which divide those rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean. The game played by the British commissioner and agent—they really had no other game to play—was to lay the basis for a compromise by showing that in its terms the treaty was incapable of interpretation. Stress was laid on attempts to prove that "highlands" meant, not an ordinary watershed, but "mountain chains," and that the term "Atlantic

Ocean" (as distinct from River St. Lawrence) included neither the Bay of Fundy nor the Bay Chaleur. The positive claim of the British agent was the identification with the highlands of the treaty of a chain of hills in the latitude of Woodstock Hills, except that they are somewhat "high," fulfilling not a single condition required by the treaty. The "Mars Hill" argument can scarcely have been sincerely pressed. It was probably a mere blind. The main point was gained. A decided impression was produced that the provisions of the Treaty of 1783, instead of being easy of interpretation and execution were "inexplicable" and "impracticable." A compromise in the highest degree favorable to New Brunswick was suggested and made possible. The northwest angle of Nova Scotia instead of being found where the Treaty would have placed it in the neighborhood of Lake Metapedia, and on highlands between rivers severally taking their course to the St. Lawrence and the Atlantic, was located in the mid-channel of the River St. John.

When Major Barclay was appointed Consul General at New York in 1798, Nova Scotia had been for sixteen years his domicil and home. In other words, he was to all intents and purposes a Nova Scotian. As time passes on it will be found that his two successors in the consulship at New York were also Nova Scotians, a fact giving to our Province the honor of providing occupants for that important position for no less than eighty-five successive years, from 1798 to 1883. The names and periods of these officials are on record thus: Thomas Barclay, 1798-1830; Anthony Barclay, 1830-1857; Edward Mortimer Archibald, 1857-1883. Anthony Barclay was Thomas Barclay's son, born at Annapolis during his father's residence in Nova Scotia. He was educated at King's College, taking the degree of Bachelor of Arts in 1809, and receiving an honorary Doctor of Civil Laws in 1829. Under the Provisions of the Treaty of Ghent, he acted as British commissioner for determining the international boundary line for the central district, at the same time that his father was trying to locate satisfactorily to New Brunswick the northwest angle of Nova Scotia. He lived until 1877.

Sir Edward Mortimer Archibald, K. C. M. G. C. B., was one of several distinguished sons of "the Great Commoner" of Nova Scotia. During his long tenure of office at New York, and especially

when the stress and friction of the civil war period threatened grave international complications, his administration of consular affairs, he won the approval of the governments and mercantile interests of both countries. Prior to this appointment he had achieved remarkable success in professional and public life in the Colony of Newfoundland.

THE WAR OF 1812.

That the War of 1812 was not carried on with characteristic energy and determination by either nation admits in large part of easy explanation. The war itself was a serious embarrassment to England. Her hands were already full. The prolonged and desperate struggle wth France was severely tasking her resources. Her ablest generals and her finest troops were wrestling with Napoleon's marshals for the possession of the fortresses and passes of the Peninsula. From her blockade of the French ports she could ill spare a ship.

Great vigor and concentration of effort in the prosecution of the American contest might naturally have been expected from the United States, whose authorities had denounced Great Britain and pronounced war against her—for palpably disregarding the rights of neutrals as defined in the Code of International Law. But there were embarrassments here as well as on the other side of the ocean. The Congress which had declared war against England represented a majority, but by no means the whole, of the people of the United States. The minority, which bitterly opposed the war policy was large and influential, including the whole of New England, and the sea-board districts of New York, New Jersey and Pennsylvania. To the people inhabiting this area war meant annihilation of their commerce. Nor did their admiration for Napoleon blind their eyes, as the eyes of the fiery Southrons were blinded, to the fact that the French despot with his Berlin and Milan decrees was the primary transgressor. So throughout a large part of the country, and that not an unimportant part, there was little or no enthusiasm; and this state of feeling, or want of feeling, lasted until the barren Treaty of Ghent brought to an end the inconclusive struggle. The Hartford Convention occurred as late as 1814. Recruits came in slowly. The State governments controlled the Militia, which fact did not tend to promote the objects of the war in unsympathetic States. The Governor of Con-

necticut would not allow his militia to go outside of his government and the Governor of Vermont took a similar stand. In Massachusetts the domestic force was allowed to become disorganised owing to the cost of its upkeep. All the troops who were engaged to subdue Canada came from the central and western districts.

At the outset these relative disadvantages might have been viewed as pretty nearly counter-balancing each other. Nova Scotia, even in the comparatively defenceless condition in which Sir John Sherbrooke found her, cannot be said to have been particularly exposed to danger. Far otherwise with Canada westward from the Richlieu. A narrow elongated stretch of country, without natural defences easily accessible by land and water, with a sparce and—it was assumed—greatly disaffected population, it seemed ready to fall into the enemy's hands before a blow was struck. But it so happened that when the four years struggle for its conquest, or retention, was over, not a single acre of the soil had passed out of British possession.

The series of brilliant naval victories gained by America over British frigates in the earlier period of the war—of the *Constitution* over the *Guerriere,* of the *Wasp* over the *Frolic,* of the *United States* over the *Macedonian,* of the *Constitution* over the *Java,* has tended to produce on careless readers, an historically erroneous impression. These victories, decisive as they may have been in themselves, had absolutely no effect in determining the issue of the contest. They were mere occurrences, for the repetition of which there was no chance whatever in later years of the war. England had made two mistakes, if one does not really include the other, she had kept too few ships on the American station, and those placed there were too weak to cope, in single combat, with the eight or nine first-class frigates which constituted the United States Navy. As soon as the Admiralty order directed British captains not to accept the gage of United States vessels greatly their superiors in tonnage and guns, the succession of British defeats came to an end. In the celebrated fight between the *Shannon* and the *Chesapeake,* the ships, the crews and the armaments were equally matched. The statement that a British frigate of 1813 was twice as efficient as one of 1812, is doubtless an exaggeration, but there is no doubt of the lesson having been learned that it was folly to send weak ships to grapple with ones much stronger than themselves. Mur-

dock's account of the *Shannon-Chesepeake* affair is reproduced in the Appendix.[1]

For a time it was difficult to say on the commerce of which of the two nations the greater injury was inflicted by privateers in the service of the other. United States vessels with letters of marque not only preyed on British and colonial shipping on the American coasts, but, waxing bold, crossed over to the waters of the United Kingdom itself. The peace of 1814 enabled England to clear her own shores of both cruisers and privateers. Around our own coasts, too, a similar, if not so extensive, a reduction of privateering ravages came about as one of the results of the pacification in Europe.

Towards the end of the year 1814 the United States proposed the formal consideration of terms of peace. The British fleet which for some time had blockaded the Atlantic coast line from Long Island to Savannah, was now ordered to extend the bolckade northward so as to include the New England ports, access to which had been permitted from motives of policy. Indeed during the first two years of the war, under a special arrangement, British manufactured goods in large quantities were shipped from Halifax to Boston and even New York. Vessels for the transportation of these goods were licensed and so made safe from interference or capture by English cruisers or Nova Scotian privateers. An immense business in this line was done for at least two years in Halifax, and the basis of some large fortunes were thus laid. Owners of cargoes of imported goods awaiting transfer for a United States port when this special arrangement terminated, incurred heavy losses.[2]

Simultaneously with the northward extension of the blockade, it was decided—Sir John Coape Sherbrooke is credited with originating the idea—to seize the southeastern corner of Maine and so make New Brunswick secure from attack. This conquest was easily effected by a combined expedition which seized Eastport on July 11th, and in

[1] The compiler of this History has conversed with ladies and gentlemen who vividly recalled the Sunday (June 6, 1813) when the *Shannon* and the *Chesepeake* came into Halifax, and the following Tuesday when the gallant Lawrence's remains were honored with a military funeral and sepulture according to the rites of the Church of England.

[2] John Young—the Agricola of Willow Park,—father of Sir William Young, Chief Justice of Nova Scotia, was a Glasgow merchant engaged in this trade. He came to Halifax in connection with a cargo sent over too late for transmission and decided to take up his residence here.

September took possession of the whole coast as far west as the Penobscot.[1]

The forces under Sir John Sherbrooke's own command, the 29th, 62nd, and 98th regiments, two companies of the 60th, and detachments of Royal Artillery and Engineers. The fleet under the direction of Rear-Admiral Griffith consisted of H. M. M. S. *Dragon, Endymion, Bacchante* and *Sylph*. We shall allow Sir John himself to tell the story of the conquest of Castine.

"*August* 26, 1814. Rear Admiral Griffith and myself embarked on board the *Dragon*, 74, and sailed with the expedition destined for the Penobscot.

"*September* 1st. At sunrise this morning we were in sight of the enemy's fort, Castine. A few shots were fired from it, when the United States officer blew up the works, carrying away with him the boats and two brass field-pieces, but leaving the heavy ordnance behind.

"During the day we made our landing, and occupied the town and peninsula of Castine, pushed our pickets forward about a mile beyond the fort.

"Belfast was likewise occupied by the troops under Major General Gosselin, and a detachment of small crafts under Captain Barrie, R. N., and of troops under Lieutenant-Colonel John, were sent up the river to Hampden, with the intention of bringing away the United States frigate *Adams*, which had been wharfed up there for safety. But on the approach of the British the *Adams* was blown up, and her captain, officers and crew escaped.

"12th—All necessary arrangements having been made for the security of Castine, the Admiral and I sailed for Machias, which place had been taken possession of by a force under Captain Parker, R. N., and Lieutenant Pilkington, which had been detached from Castine for that service. Major General Gosselin was left in command of the troops in the Penobscot territory.

"13th—Major Addison sailed with my despatches for England in the *Martin*, sloop-of-war.

[1] The combined forces of the expedition referred to were: A British force from Bermuda, the 102nd, Regiment in transports, and a paty from Halifax in the *Ramilies*, 74, Captain Hardy, with Lieutenant Colonel Pilkington, commander. This part of the expedition which sailed for the Passamaquoddy region, two months in advance of the later one, had seized, and was holding, Eastport, Machias and the adjacent shores.

"15th—The Admiral and I arrived at Moose Island.
"16th—Visited St. Andrew's.
"18th—We arrived at St. John, New Brunswick.
"19th—Sailed from thence.
"20th—Landed in Windsor, Nova Scotia."

THE TREATY OF GHENT.

The War of 1812 came to an end by the negotiation of a Treaty of Peace at Ghent in December, 1815. This well-known Treaty has as its distinguishing feature the fact that it does not contain even an oblique reference to a single one of the grievances on the score of which the United States had declared war against Great Britain. Its contents as to disputed titles in Passamaquoddy Bay, and the north-eastern boundary lines have already been referred to. It contains no reference to the vexed fishery question. Matters in dispute between the countries were either left unmentioned, or referred to boards of arbitration.

The Treaty of Ghent was signed on December 24, 1815. Just a fortnight afterwards, Sir Edward Packenham, who does not appear to have had any communication from England since leaving Halifax, attacked an American force of 12,000 men under General Andrew Jackson at New Orleans. Packenham's force was the larger, numbering 15,000, but he was terribly worsted. Jackson threw up barricades of cotton bales, which entirely nullified the effects of his fire. The American loss was seven killed and six wounded. The English official account returned as killed, 291; as wounded, 1,267; as missing, 484, a total of 2,042. The affair made Andrew Jackson President of the United States.

The closing year—a year of peace—of Sir John's stay in Nova Scotia seems to have been a pleasant one. The House of Assembly presented him with a service of plate costing one thousand pounds. The victory of the companion of his youth at Waterloo was right royally celebrated. The farewell dinner to himself probably surpassed in hilarious enthusiasm anything seen in Halifax before or since.

SHERBROOKE AS ATTORNEY GENERAL OF CANADA.

Early in 1816, Sir John Sherbrooke was appointed Governor General of Canada. His commission as Captain General and Governor-

in-Chief, dated April 10th. He sailed from Meagher's Beach on June 29th, and was sworn in at Quebec July 12th.

In Canada he entered upon a position environed with difficulties. The recall of Sir George Prevost had left the public mind in an inflamed condition. The differences between the dominant minority and the French Catholic majority were becoming increasingly acute. The problem was how to reconcile British authority with a reasonable recognition of the rights of the public. A letter in which Sir John, shortly after his accession to the Governor-Generalship, submitted to the Ministry his view of the condition and needs of the Province is regarded by Kingford as displaying a considerable insight into the true state of affairs, as well as a conspicuous freedom from racial and religious prejudices. The historian of Canada adds—and he may say the same in substance of his administration in Nova Scotia—that, "He left behind him the impress of one of the wisest and ablest Governors who held office in Canada, before the establishment of responsible government. If he could not break through the tradition that the Province was in a state of pupilage he more nearly reached his point than any of his predecessors."

The strain at Quebec soon proved too much for a constitution that had never fully recovered its tone from the enfeebling influence of an Indian climate. A paralytic affection obliged him after eighteen months' incumbency, to resign and return to England, where the remaining years of his life were spent in absolute retirement and seclusion.

Sir Henry Bunbury, who was Quarter-Master-General, for the Mediterranean forces during Sir John's stay at Messina gives us this picture of his physique: "A short, square, hardy little man, with a countenance that told at once the determined fortitude of his nature." This description accords well with the portrait formerly in the Province Building, but now adorning the walls of the Halifax Club. Sir John was undoubtedly of a somewhat irascible disposition, but in all probability, the stories—one of them reproduced by Murdock—told in illustration of this infirmity, are mostly trumped up inventions. If Wellington ever did say that "Sherbrooke was the most passionate man I ever knew," we must remember that our national hero was addicted to overstrong expressions, as when he said that he had at Waterloo "the worst army a general ever commanded." That Sher-

brooke had a sensitive nervous organism is unquestionable. It is quite likely that he sometimes went beyond the mark in reprimanding knavery and imposture.

Murdock rises to an unusual felicity of expression is describing his general character: "Sir John Coape Sherbrooke was highly esteemed by the inhabitants of the Province. Prompt, manly, sincere and impartial, he was regarded as the impersonation of inflexible and incorruptible justice. Somewhat excitable and abrupt in manner, he yet succeeded in winning golden opinions from all the people within his government." To make up for any possible defects on Sir John's own part, our historian adds: "His lady was courteous and charitable. His private secretary, Lieutenant-Colonel Addison, was a man of conspicuous piety."

DEATH OF BISHOP INGLIS.

Among the events of importance which occurred during the closing months of Sir John Sherbrooke's administration of the government of Nova Scotia may be mentioned the death of the Rev. Charles Inglis, Bishop of the Diocese of Nova Scotia, and the appointment as his successor, the Rev. Dr. Stanser, rector of St. Paul's. Dr. Inglis, consecrated in 1787, was the first Bishop appointed to a colonial See in connection with the Church of England. He passed away in the eighty-second year of his age and the fifty-second of his ministry, having throughout the nearly twenty years of his residence in Nova Scotia commanded the respect of all classes. One of Sir John Sherbrooke's last acts in public was to appoint, of course under instructions, the Speaker of the House, Lewis M. Wilkins[1] Judge of the Supreme Court in place of Judge Monk,[2] who had left the Province, and Peleg Wiswall to the same court to fill the newly created associate judgeship.

During the interval between the departure of Sir John Sherbrooke and the arrival of the Earl of Dalhousie, the government was administered by Major-General George Stracey Smith, who was brought over from New Brunswick for the purpose. The commissioners appointed

[1] Father of Charles Wilkins, sheriff of Hants County, Lewis M. Wilkins, provincial secretary and judge of the Supreme Court, and of Martin I. Wilkins, Solicitor General and Attorney General.

[2] Grandfather of F. D. Monk, a prominent lawyer and politician of Montreal recently deceased.

under the fourth and fifth articles of the recent Treaty of Ghent to determine on the ownership of the islands in Passamaquoddy Bay, and to trace the northeastern boundary line from the source of the River St. Croix, and the result of whose labors have been anticipated in our reference to Thomas Barclay, were now sitting at St. Andrews.

On the 24th of October (1816) the new Governor and his suite arrived. The fame of the ninth Earl of Dalhousie has been so completely eclipsed by that of his distinguished son, the tenth and last Earl, afterwards created Marquis of Dalhousie, and recognised as one of the ablest colonial administrators of Britain, that it is difficult to trace his previous civil and military record. Not much seems to be known beyond the fact that he particularly distinguished himself as one of Wellington's generals in the Peninsular War.[1] He was a man of high character, and of advanced views in everything pertaining to material and intellectual progress. His nationality made his appointment particularly acceptable to the rapidly increasing part of the population of Scottish birth and descent.

During the warlike conditions which prevailed during the Sherbrooke administration public attention did not focus itself prominently on His Majesty's Council. The part which that august body is destined to play henceforth until the question of the political constitution of Nova Scotia shall be finally settled, renders it proper to keep its membership in mind from time to time. The following are His Majesty's Councillors and related officials in 1816:

Hon. Sampson S. Blowers, president (the Chief Justice); Right Rev. Robert, Lord Bishop of Nova Scotia; Michael Wallace, Charles Hill, Richard J. Uniacke, Charles Morris, James Stewart, Thomas N. Jeffrey, John Black, Brenton Haliburton, P. Wodehouse, Robert D. George, Esq., secretary; H. H. Cogswell, Esq., deputy secretary.

DALHOUSIE AS GOVERNOR.

Shortly after his arrival, Lord Dalhousie was called on to open a new session of the Assembly. The speech was brief, the Earl of Bathurst had recommended a complete revision of the militia laws.

[1] Some histories credit him with having served at Waterloo. The few biographical notes prefixed to the elaborate account of his father's career in the "Dictionary of National Biography" do not sustain this statement. His military career seems to end with the occupation of France in 1814. Neither is his name found in the very complete roster of the British forces appended to Siborne's "History of the Waterloo Campaign."

After a long discussion, the House adopted a resolution against the proposed change without a division. The proprietors of the old ferry boats petitioned against the steamboat company using a small boat turned by a crank. "The lawyers in the House held different views on the subject." The trustees of the academy at Pictou petitioned for aid in the erection of a building. Mr. Marshall of Sydney (Judge Marshall) led the opposition to this proposal. "The age of literature, of refinement in science and classical knowledge had not always been the age most distinguished for public and private virtue." Mr. Archibald replied, "If education was to be considered an evil, he hoped the academy might be highly charged with it. He claimed the equal enjoyment of civil and religious privileges." W. H. O. Haliburton[1] deprecated the introduction of religious distinctions, but was willing to support the academy as a grammar school. Mr. Ritchie of Annapolis thought that the restrictions on dissenters at Windsor furnished an argument in favor of the academy at Pictou. Robie, the Speaker, (elected in place of Wilkins) strongly supported the petition, of which, however, nothing came. The House considered at length petitions from several counties, "asking for the issue of paper money as a loan from the Province to individuals." Colonel Crane enunciated the sound principle that "paper money should not be issued unless we possessed the means to respond it, otherwise it would sink in value." The issue of marriage licenses to clergymen other than those of the Church of England occasioned a long and animated debate. The question was not so much as to the propriety, as the legality, of such a course. The direct issue was dodged by requesting the Governor to grant licenses to clergymen of all denominations, if he considered himself authorized by law to do so. In

[1] "Sam Slick's" father.

Shortly after his arrival in Nova Scotia, Dalhousie was much gratified by the receipt of a mandamus directing him to admit to the Council his friend and brother Scot, James Fraser,[2] a very prominent merchant of Halifax. Mr. Fraser's first home was on the Miramichi in New Brunswick. He had sat in the Assembly of that Province and still retained there extensive business connections and interests. Though with Samuel Cunard and James Douglas as colleagues, he was a commissioner of light-houses, he did not, like most of the councillors, belong to "the strictly official class."

[2] Mr. Fraser was father of James D. Fraser, a prominent lawyer of Windsor, and for several successive Assemblies M. P. P. for that town, and Dr. B. D. Fraser, a leading physician of the same place. The latter was father of Sir Frederick Fraser, the well known educator of Halifax. A daughter of the Hon. James Fraser became the wife of Sir Charles Gore, aide-de-camp of Sir James Kempt at Quatre Bras and Waterloo, and afterwards General-in-Chief in North America with residence at Halifax.

closing the session, the Earl in somewhat magisterial terms and tones reproved the Assembly for disregarding his advice in relation to the militia law.

Lord Dalhousie was personally a wealthy man. He was certainly a generous one. Destitute emigrants from Europe arriving in considerable numbers, he placed forty pounds in the hands of Michael Tobin and Samuel Cunard to aid them in getting into the country. When three hundred Newfoundlanders, burnt out by fire, landed in Halifax, fifty pounds more were forthcoming for their relief. For some who were compelled to stay in Halifax all winter, an additional hundred was provided.

On the 18th June (1818) the London packet brought to the Governor a copy of a recent act of Parliament authorising the Crown to open "free ports" in Nova Scotia and New Brunswick. In July news arrived that "Halifax in Nova Scotia and Saint John in New Brunswick were made free ports under the recent act."

The Rev. Edmund Burke, pastor of the Roman Catholic flock in Halifax, was elevated to the Episcopate, and consecrated to his high office at Quebec. Not only had the Roman Catholic body become highly respectable in point of number, but influential by reason of the character and wealth of its leading representatives. Bishop Burke was an excellent organizer and altogether an admirable man.

In 1819 the inevitable Assembly election came on. The returns were as follows:

For County of Halifax: Edward Mortimer, William Lawson, Simon Bradstreet Robie, Samuel George William Archibald.

County of Annapolis: Thomas Ritchie, John Warwick.

County of Lunenburg: Francis Rudolph, John Heckman.

County of Cumberland: Thomas Roach, Henry Purdy.

County of Kings: William Allen Chipman, Elisha DeWolf.

County of Queens: Snow Parker, John Barss.

County of Hants: Shubael Dimock, William Hersey Otis Haliburton.

County of Shelburne: John Bingay, Abraham Lent.

County of Sydney: Robert Mollison Cutler, Thos. Dickson.

Town of Halifax: Henry Hezekiah Cogswell, John Albro.

Town of Truro: William Dickson.

Town of Onslow: Robert Dickson.
Town of Londonderry: James Flemming.
Town of Annapolis: Thomas Ritchie.
Town of Granville: Timothy Ruggles, Junior.
Town of Digby: William Henry Roach.
Town of Lunenburg: Edward James.
Town of Amherst: James Shannon Morse.
Town of Horton: Jonathan Crane.
Town of Cornwallis: Charles Ramage Prescott.
Town of Liverpool: Joseph Freeman.
Town of Windsor: William Fraser.
Town of Falmouth: William Young.
Town of Newport: John Allison.
Town of Shelburne: Jared Ingersol Chipman.
Town of Barrington: William Browne Sargent.
Town of Yarmouth: Samuel Sheldon Poole.

The Governor's speech at the opening of the session referred to abundant crops, successful fisheries, and revived commerce. He still insisted on improved methods of road making and a revision of the militia laws. The new Province Building, in which the Legislature was housed, was a "splendid building, erected for the accommodation of the Legislature, the Courts of Justice, and all the public offices." "It stands," the Governor went on to say, "and will stand, I hope, to the latest posterity, a proud record of the public spirit at this period of our history: and as I do consider this magnificent work equally honorable and useful to the Province, I recommend it to your continued protection."

APPROPRIATIONS FOR COLLEGES.

Then, after the manner of a modern United States President, the Governor—apparently acting on his own initiative without any suggestions from his council—undertook to take a hand in legislation himself. He submitted a new road-making system. The general sentiment was hostile to the Governor's suggestions and they never took statutory form. The next matter of legislative suggestion was a brand new militia system. The talk over the Governor's plan was interminable. At length a conference with His Excellency was sug-

gested, but voted down as unconstitutional. Some votes gratifying to the Governor were passed; four hundred pounds to Pictou Academy; two hundred pounds to the Acadian School; two hundred pounds for a college (Dalhousie) at Halifax; fifteen hundred pounds to the Agricultural Society. But these votes were altogether insufficient emollients for the dissatisfaction produced by the rejection of his proffered legislation. He is displeased "because the alterations he had suggested as to militia and road service were not adopted."

The vote of fifteen hundred pounds for the pay of the members was particularly objectionable when the revenue was shrinking at such an alarming and rapid rate, and he had allowed the appropriation bill to go through only out of deference to the Houses which had passed it.

At this session a joint committee of both houses was appointed to inquire into the state of trade, the measure necessary to promote the prosperity and provide for the future security of the British North American Provinces, and counteract the ambitious projects of the United States. Messrs. Wallace, Uniacke and Fraser, of the Council; Ritchie, Mortimer, Prescott, Freeman, Cogswell, Roach and Bingay, of the House, constituted the committee. The report of the committee opens with a regular fusillade of animadversions on the insatiable ambitions and anti-British animus of the United States, and ends with a number of practical suggestions, some wise, some foolish. Among the former class may be mentioned the reunion of Cape Breton and Prince Edward Island with Nova Scotia, the laying out land for settlers, regulations for the inshore fishery; among the latter, a military road from Fredericton to Bic, frontier fortresses, establishing governments in Labrador and Belleisle Straits.

Mr. Murdock has some interesting comments on the reports of the debates at the session of 1819 over the roads and the militia and Pictou Academy and licenses to marry. "I feel bound to notice the talent displayed by many of the members. Although educational establishments had as yet effected little for the people, yet in 1819, men like Ritchie, Robie, Haliburton and Archibald (natives of the Province) exhibited statesmanlike ideas, a power of subtle reasoning, and much eloquence. There was also at the period a manly tone of independence, which gave dignity to the representatives of a free, though not a numerous or wealthy people. Although the talent dis-

played in the days of Barclay and his compeers was possibly more classical and refined, it was all, or nearly all, imported from older communities, but natives were now rising to eminence by dint of their own exertions, and working their way to distinction in the Assembly, in the law, in trade, as well as in the navy and army."

In July (1815) Lord Dalhousie is informed that the marriage license Act had been disallowed by the Imperial authorities. Lord Bathurst "Considers the right to marry by banns is all that dissenters have a right to ask, as marriage by license is not in use among them, and not favored by the Church of England, as tending to irregularity." Phillip Wodehouse, commissioner of the dockyard and member of the Council, leaves Halifax for good. His office was abolished, and the business of repairing and refitting ships transferred to Bermuda. Hibbert Newton Binney, the collector of imports and excise, obtains Wodehouse's seat at the Council. The supreme qualification for councillor is to be an office holder.

DALHOUSIE AS GOVERNOR GENERAL OF CANADA.

On October 20th, the Earl of Dalhousie was appointed Governor General of Canada, and Major General Sir James Kempt was named to succeed him as Lieutenant-Governor of Nova Scotia. Business, however, went on as usual in Nova Scotia under the former, until Kempt should arrive to take his place. The Assembly met on February 10, 1820, and the Governor opened the session with the usual formal speech. No attempt was made to revive the issues on which so much eloquence and debating skill had been expended. The new topic was agricultural prosperity, and the new recommendation, a canal from Halifax Harbor to Minas Basin by the lakes of Shubenacadie. The disallowance of the marriage license act is explained

An unpleasant incident occurred during the session. Hon. Thomas N. Jeffrey, collector of customs, and member of His Majesty's Council was called to the bar of the House to answer certain interrogations concerning the fees collected at the custom house. He was charged with exacting fees improperly, and oppressing the trade of the Province by restrictions not warranted by law. The Council wished to see the documents containing the evidence on which these charges were founded. The House, which apparently had no power to deal with Mr. Jeffrey, who was an Imperial official, declined to

furnish these papers unless to a tribunal appointed by the Governor to furnish them.

On April 2nd, an address to the Governor was passed by the House, expressive of its high esteem, and asking his acceptance of a star and sword as an indication of the same. His Excellency received the address "as one of the highest honors that can be conferred," and, subject to the approval of the King, accepted the proposed gift as "a magnificent testimonial of your regard."

Then came a great surprise. Ten days after the House rose, the Earl wrote to Speaker Robie, recalling his acceptance of the star and sword. He regrets "the unusual hurry which led to the unexpected prorogation of the Assembly." He had wanted to revise the business of the session, and is surprised and mortified that the allowance for the inspection of the militia, granted last year, had this season been withheld and that, "the House casting aside all the long established forms of returning answers to the special messages of the executive government, had shown a disposition to disregard his prerogative rights, and the respect due to that first head of the constitutional Legislature." He adds that "such conduct cannot rest unnoticed, though it may be guarded against in the future." As to his acceptance of the gifts, he has this to say: "When I find the leading measures of my administration rejected and suppressed, in a manner disrespectful to the high station in which I am placed, at the very moment, too, when those gifts of approbation are tendered to me, my duty to the King, my duty to the Province, and above all, the sacred regard I have for my own personal honor, equally forbid the acceptance of the sum voted." He adds—whatever he may mean by it—that he gave "the answer without suspicion that such circumstances could possibly exist." After commenting on the difficulty of ascertaining in all cases the springs of human actions, Murdock surmises that Dalhousie was led to change his attitude respecting the Assembly's gift, when he found that his acceptance of it would make him unpopular with influential friends in the Council, who were just then in high dudgeon over the House's rough handling of Mr. Jeffery. Putting this and that together the Governor may on reflection, have been led to conclude that the address and the star and sword sprang from no deep seated regard for himself, but were simply a formal compliance with usage in the case of departing Governors.

Two or three points in connection with the differences between Dalhousie and the Assembly deserve attention. These did not involve particular strife or friction in the relations of the two branches of the Legislature. In pressing on the Assembly session after session, what he called the leading measures of his administration, the Governor was acting for himself and not for the Council. In advocating new surveys of the Province, or a new organization of the militia, he was influenced by no selfish motives. Not a single member of the House appears to have questioned his sincerity. The questions which did arise had respect to—first the popular Assembly, and subordinately to the soundness of the particular policies he so energetically strove to force through. The House did not share his view of the "prerogative rights" of the Governorship.

It would nevertheless, be a mistake to assume that Lord Dalhousie was not a respected and well liked Governor. His interest in agriculture and education, his evident desire to get in touch with the people as a whole, rather than to ally himself with special cliques and classes, his kindness of heart, his manly bearing, and above all his eminently proper style of living, secured him among those whose regard was of value, appreciation and esteem.

FAREWELL RECEPTION FOR DALHOUSIE.

The last few months of his stay in Nova Scotia were pleasantly spent. Though aware of his early transfer to Canada, he had still official duties to perform in Halifax. He had to appear as principal figure at the proclamation of George the Fourth, and the next day in the same capacity at the funeral of Sir John Wentworth.

An address "of a laudatory character" was presented to him in behalf of the people of Pictou, by three of the county members (Pictou was then in Halifax County) Archibald, Lawson and Smith, the former of whom had been the leading opponent of his measures in the Assembly. The Governor's heart was touched by this message from his fellow countrymen. He bestowed unstinted praise on Pictou and its industrious and prosperous people, and referred to a most enjoyable visit paid to that fine district in the earlier part of his administration. Edward Mortimer, recently deceased, one of the great captains of industry in eastern Nova Scotia in the early times, was recalled, with a compliment to his "liberal mind and patriotic prin-

ciples." The Governor would fain visit his friends again "to find the same reverence of religion, the same Highland loyalty, the same Highland costumes and manners distinguishing them as at present."

Then came a complimentary dinner given the Earl and Countess at Masonic Hall "by the inhabitants of Halifax." The Governor expressed a lively interest in the prosperity of Nova Scotia and "left at half-past twelve, highly gratified with the attention and respect shown him." This dinner was marked by a unique and agreeable incident. Until the Loyalist migration of 1783-4, Richard John Uniacke, the Solicitor General, had every prospect of winning in the course of a few years that coveted plum, the Chief-Justiceship. But a Loyalist lawyer, Sampson Salter Blowers, had suddenly come upon the scene, to take in turn the Attorney-Generalship and the highest post on the bench away from the young Irish lawyer. At the time of the Dalhousie dinner, in 1820, Blowers was still Chief Justice, as indeed he continued to be until 1833. Uniacke had long since reached the Attorney-Generalship, but declining an ordinary judgeship, was waiting for the higher prize to come within his grasp, if it ever might. When the Governor had proposed the health of Chief Justice Blowers, who does not seem to have been present, he called on Attorney General Uniacke, as head of the bar, to return thanks. As most present were aware that in years past the personal relations of the two legal luminaries were not very cordial, the situation for a few moments was decidedly embarrassing. The impression of awkwardness soon passed away, Uniacke was equal to the occasion: "He had known the Chief-Justice from early life, they had both in their youth, been rival candidates for fame, and each one valuing his abilities more than his antagonist's, the most unpleasant consequences had ensued[1]—they had both lived to be advanced in years, and now it was time those fiery passions should subside—for his part they most certainly had; and he must thus publicly express his opinion of his lordship, that from a knowledge which a long and extensive practice at the Bar had afforded him of his character, he could assert

[1] According to a letter from Thomas Barclay to Rufus Chandler (16 Nov., 1791), the relations of Blowers and Unicake, even when they were Crown officers together, were sometimes strained to the point of breaking: "For the honor of Massachusetts, be it made known that His Majesty's Attorney-General (Blowers) in a late affair of honor has come off with flying colors, and the Solicitor-General (Uniacke), that worthy descendant of fair Hibernia, was obliged to make an apology to him. The dispute was about a negro man whom Uniacke had dismissed and Blowers took into service." Barclay, Blowers and Chandler were all Loyalists.

without the fear of contradiction, that he is an honest, an impartial, and just judge."

A few other functions, official and social, awaited Lord Dalhousie before saying farewell to Nova Scotia. The death of King George III brought the Assembly to a premature end. It was formally dissolved by proclamation and writs ordered for new election.

The Earl enjoyed much the pleasure of laying the corner-stone of the college, founded by him and bearing his name. When the formal ceremonial was over, His Excellency made a speech in which he briefly stated the objects which he hoped to accomplish by founding the college. Modern educational fads were then unknown. The aim is "instruction of youth in the higher classics and in all philosophical studies," the doors will be open to all who profess the Christian religion," and "it is particularly intended for those who are excluded from Windsor."

Then came a splendid farewell ball and supper given by the commandant and officers of the garrison. Then an address from the inhabitants of Halifax. Then, why such a matter was not left over for Sir James Kempt is not clear—the issue of general orders reducing the militia to one regiment in each county, except that Halifax was to have four (two in the town and one in both Pictou and Colchester).

The reception of an address from the Wesleyan Methodist Conference brought Lord Dalhousie's official career in Nova Scotia to an end.

No account of Lord Dalhousie's period in Nova Scotia would be complete which should fail to take notice of the extraordinary furor that prevailed during its later years on the subject of agricultural reform. The primary condition favoring this somewhat sudden, and, while it lasted, very energetic, display of interest in the staple industry, was undoubtedly the immense decline in the prices obtainable for products of the farm, that followed the establishment of peace. To counterbalance the fall in value by increase of productivity was a most natural suggestion. The credit of inaugurating a campaign to give practical effect to that suggestion may be divided between two Lowland Scotchmen, George Ramsay, Earl of Dalhousie, and John Young, author of a series of letters over the signature "Agri-

cola," which were published anonymously in the *Acadian Recorder*, during the years 1818 and 1819. In dealing with his legislature the Governor did his best "to animate the general spirit of improvement in agriculture." In his letters Agricola tried to stir up the minds of the farmers themselves. In the introductory paragraphs in which he sought to lay such a basis of fact as would justify his special recommendations, the latter did not seek to ingratiate himself by flattery into the good graces of the class whose interests he sought to promote. Without qualification, he affirms that "the cultivation of the earth, the prime function of national wealth, and the first and most essential of arts is accounted so despicable and vile as to be the fit employment only of the untalented and vulgar herd,—the keeper of the tavern or tippling house, the retailer of rum, sugar and tea, the travelling chapman, the constable of the district, were far more important personages, whether in their own estimation or that of the public, than the farmer who cultivated his own lands." When the writer observed that "the system of husbandry was wretched in the extreme, and the profession of the farmer little short of being despised" and that "a visible poverty since the Treaty of Paris was benumbing every faculty of intellect, begetting habits of langour and inaction among the people and preparing them to descend into the lowest abyss of humiliation," he was deeply roused: "The proud and independent spirit of a Briton burned fiercely within me, and I vowed the surrender of my vacant time to the good of the country I had adopted." Agricola describes the effect of his letters: "While I thus continued to write, and he, the Governor, to approve the first characters in rank in the metropolis did not stand long by idle spectators but touched with the lambent flame of patriotism, they hastened within their respective spheres of influence to scatter and propagate that sacred fire which soon burst out with irresponsible and unextinguishable brightness."

FARMERS OF AGRICOLA'S TIME.

Campbell, who, in his history of Nova Scotia, devotes much space to Agricola and strongly eulogizes his writings, admits that his portraiture of the farmers of Nova Scotia "would be regarded as incredible were it not vouched for by so respectable an authority." On the point in question Agricola has no right to be considered

an authority at all. He was a new-comer into the Province. During the three years that he had spent in Nova Scotia, he had been busy in founding his mercantile establishment on Water Street, Halifax. There is nothing to indicate that he had ever visited those parts of the country—all remote from the Capital—where the chief agricultural operations of the Province were—and indeed still are—carried on. His statements as to which of the classes that went to make up the rural society of the day were, and which were not, composed of "important personages" are ridiculous travesities of fact. It is a sufficient commentary on the groundlessness of his wholesale impeachment of the tillers of the soil to point out that at the very time when this sad state of things existed, two-thirds of the constituencies of the Province were sending as their representatives to the Assembly "farmers who cultivated their own lands," while the more highly rated "keepers of taverns, retailers of rum and travelling chapmen," were allowed to stay at home. Mr. Young was a man of truth and honor, and would not have wilfully misrepresented any class or any person. Somebody must have imposed on him, or he must have misunderstood somebody. He rushed into print without having carefully surveyed his ground in advance. Some years afterwards he became a member of the House himself, a position in which he gained nothing but credit. His appearance in the Legislature, however, probably led him to revise his opinion respecting the farmers of Nova Scotia and their "visible poverty of intellect." Of the subject matter of the letters of Agricola little need be said. Agriculture is a progressive science. Agricola is out of date. No one would think of making him the basis of a course of lectures in an agricultural College. Founded as the letters were on an absurdly exaggerated view of provincial ignorance in regard to the elements of agriculture, the publication of a considerable portion of their contents must have been a mere waste of paper. As a whole they let us know clearly enough the stage of advancement which scientific agriculture had reached in Scotland a little more than a century ago. There is little or nothing in them particularly adapted to soil and climatic conditions in Nova Scotia. The special emphasis laid on the increased cultivation of oats was, we think, injudicious. Old things, with which the average Nova Scotia farmer was perfectly familiar, were called by new names, and this helped the letters

to make a hit. These exceptions taken, it may be frankly admitted that there was much general truth that was of value and that their publication was timely.

A popular impression as to the special manner in which Agricola operated to the advantage of agriculture needs correction. His letters were written in a style most unsuitable for such country bumpkins as he represented the farmers of Nova Scotia to be. A high degree of "literary merit" has been claimed for them. Some have even found in them, "Junius-like touches, which are rarely met with even in the best authors, and which would have done credit to an Addison or a Macaulay." The scientific truths taught are considerably overlaid with rhetorical embellishment. It is almost impossible to conceive of treatises of this kind, even if we rate the powers of intellectual appreciation possessed by their intended readers much more highly than did Agricola, as directly kindling a flame of agricultural enthusiasm throughout the rural districts. Whatever effects for good they did produce were brought about in a secondary way.

In Halifax Agricola hit the mood exactly. It is indeed altogether probable that it was the prevailing mood that led Agricola to put his pen to paper. The prices of country produce had gone down to an almost vanishing point. The war had stimulated productivity. There was an oversupply. The lowering of price was an advantage to the ordinary consumer, but reacted badly on general trade. The purchasing medium in the farmer's hands being reduced, the merchants' sales were reduced too. Many Halifax gentlemen at that time had estates or large farms in the country. Instead of receiving remittances from their stewards, they were called on to advance money to keep things going. It is not exactly clear how it was thought that an increase of agricultural products already saleable only at ruinously low prices would relieve agricultural depression, but that such would be the case was taken for granted, and Agricola with his proposal to make two blades of grass grow where only one grew before, was hailed as the savior of both agricultural and commercial interests. Lord Dalhousie caught at the idea. So did all the judges and councillors and office holders, with of course the leading merchants, eager for the revival of trade, which in turn depended on the revival of agriculture. For a time Agricola concealed his true name. During this period he was a second Junius, a second

"Author of Waverley." At the dinner of the North British Society, Lord Dalhousie proposed the health of this anonymous contributor to his country's welfare, referring to him as "Agricola, who, though unknown to me, I am certain from his writings, deserves the appellation of a scholar and a patriot, and whose exertions in the cause of the prosperity of the country calls for the esteem of every friend to its welfare." Then the mask was thrown off. Mr. Young found himself the lion of the hour. A Provincial Agricultural Society was formed, designed to have branches all over the Province. Ploughing matches became great centres of interest. Gentlemen who had country estates sent post-haste orders to their foremen to put Agricola's suggestions in practice. The letters laid particular emphasis not only on oats, but also on turnips, which were fast becoming a staple crop in Scotland, but as yet little cultivated in Nova Scotia. Filled with the spirit of the times, the Atorney General prepared a report describing the results of a special method of raising that interesting vegetable which had been successfully tried at Mount Uniacke. Agricola invaded social circles. Ordinary topics were displaced by rotation of crops, summer fallowing, and the economic advantages of the seed drill.

The first and chief direct impression of Agricola's work was made in the Capital. Through agencies already named the influence was transmitted to the country districts. Members of the Assembly coming to town for the session caught the fever and on their return communicated the spirit of agricultural reform to their constituents. One advantage resulting from this indirect method of disseminating the new doctrines lay in the fact that most of the farmers who were led to apply them, knew nothing of the severe handling of themselves and their methods, which accompanied their original exposition.

It is a matter of regret to add that Agricola himself in his experiment at Willow Park, found it easier to theorise about farming in Nova Scotia, than to make money by it.

SIR JAMES KEMPT AS GOVERNOR.

Lieutenant-General, Sir James Kempt, the new Governor of Nova Scotia, reached Halifax in June, 1826. Except the Iron Duke himself, no British officer alive surpassed him in brilliancy of record. In charge of one of the brigades of Picton's division he had served

with the greatest distinction in the Peninsula, at Quatre Bras, and at Waterloo, to say nothing of his achievements during the earlier years in which he had worked himself up from Ensign to General. In Spain he was severely wounded when leading the final charge against the fortress castle of Badajos.[1] With his fellow Brigadier-General, Sir Dennis Pack, both of course fighting under the inspiring leadership of Picton, he had saved the day for the English at Quatre Bras. Picton's division had assigned to it the post of honor at Waterloo, the defence of the weakest and most vulnerable part of the British line. Picton fell early in the fight, but Kempt, second in command, held the critical "Left Centre" for the livelong day, the most part against tremendous odds. Kempt's Aide-de-Camp in Spain, at Quatre Bras, at Waterloo, and now (June, 1820) at Halifax was Captain Charles Gore—later Sir Charles Gore, and Commander of Her Majesty Queen Victoria Forces in North America.

Shortly after his arrival, Sir James Kempt was called on to act for the Crown in the important matter of reannexing Cape Breton to Nova Scotia. The despatch from Lord Bathurst, the Colonial Secretary, conveying instructions for Sir John's guidance, as well as the consequent proclamation issued by the latter is published in the appendix.

Cape Breton was again in every respect an integral part of Nova Scotia. So far, since she passed out of French possession in 1763, whether as connected with Nova Scotia or as an independent colony, the island had known nothing of popular self-government. From 1763 to 1784, though a county of Nova Scotia, she was denied the privilege of representation in the Assembly by a technicality of law. From 1784 to 1820, she was not thought competent or worthy to have an assembly of her own.

It is not necessary to go into details of the internal history of Cape Breton during the period of independency. A Governor, with an imposing Council and a huge civil establishment under Imperial pay, administered affairs for a tiny population. Each successive Governor had his troubles and few escaped charges of misconduct, incompetency, or worse. DesBarres was recalled for trying to stir up bad blood between Cape Breton and Nova Scotia. Macormick's

[1] "What desperate valor climbed the steeps and filled the moats at Badajos!" Shield's speech in the Irish Aliens.

period of seven years was distinguished by constant quarrels with his officials—the Chief Justice, the Provincial Secretary, and finally with most of the others. The home authorities were unsympathetic with the Governor, who seeking trouble ahead, prudently asked for leave of absence. Matthew, who next had charge as temporary administrator, got things in such a mess, that the most influential men of the community memorialised the Duke of Portland that "the unfortunate discords and jealousies which have predominated in Cape Breton could not be effectually removed unless a Governor was sent out." Brigadier-General Ogilvie was thought to be the man to heal the dissensions. On the way out he was wrecked near Scatari, but managed to reach Sydney. He found things in great confusion and reported: "Much to blame on both sides." For some reason he did not remain long. In his report, he strongly "recommended that the seat of government should be removed from Sydney to the North Bar." His successor, Brigadier-General Murray, found the factions quarreling away as usual. The Ministry recommended an extensive series of dismissals and new appointments. Though acting on this advice he effected no improvement. As a last resort, he reconstituted the Council out of almost entirely military material, incurring thereby a sharp rebuke from the Duke of Kent (then at Halifax), who would have him know that "he had no right to employ military gentlemen under his command in duties committed by the Briitsh Constitution to the civil power exclusively." Murray was superseded by Major-General Despard, who, after some initial difficulties caused by Murray's refusal to hand over the civil government, seems to have ruled peacefully for seven years. Brigadier-General Nepean, who followed for six years, was chiefly distinguished for the frequency with which he dismissed, appointed, suspended, and restored the officials of his government. The next Governor, Swayne,—also a Brigadier-General—reported the island in a most deplorable condition: "The Chief Justice has been suspended, and the most violent aniomosities prevail amongst some of the officers of the government as well as between many of the principal inhabitants. The magistrates of the county have been suspended for these some months past." Three years spent in not altogether successful attempts to reconcile jarring factions were quite enough for Governor Swayne. He applied for leave to return to England on account of his health. Major-

General Ainslee, the last Governor of the independent colony of Cape Breton, entered on his duties in November, 1816. Before the important event of his period, the one which led directly to the re-annexation of Cape Breton to Nova Scotia, is referred to, it may be observed that under Ainslee the series of disgraceful squabbles in governmental circles which had been in progress for over thirty years reached, not only its termination but its climax. "Having quarrelled with the Chief Justice, the Provincial Secretary, the Surveyor General, the Provost Marshal, and the Naval Officer, and made enemies of almost every person of respectability in Sydney, Ainsliee closed his career in 1820, with a scurrilous, intemperate letter to the Under Secretary of State, denouncing the inhabitants generally as a set of deceitful, unprincipled aliens, imbued with the Yankee qualities of the refuse of three Kingdoms."

ANARCHY IN CAPE BRETON.

To recur to the important event just hinted at. It was ascertained, apparently beyond doubt or question, that Cape Breton was in a state of absolute anarchy, so far as domestic matters were concerned. In a case, with whose particulars were need not enter, the Chief Justice had given a decision which implied that the island had never possessed a council, a governing body, qualified to frame and enforce legal ordinances. That all ordinances passed by successive councils had no binding force, nor had the present council power to pass others in their place." Here certainly was a perplexing crisis. The matter was referred to Lord Bathurst, who took the opinion of the Crown Counsel. These eminent lawyers confirmed Chief Justice Dodd's decision: "We think it right to submit to your Lordship our doubt as to the legality of the imposition of the duty for which the action is brought. If the extract from the King's Commission and Instructions to the Governor be correct, the Governor and Council of the Island are not authorized to impose any duties or taxes, inasmuch as such power is expressly excepted." This settled the question. Chaos must be avoided. There were but two alternatives—an Assembly, or re-annexation to Nova Scotia. Three years before, when the people had petitioned for an Assembly, Lord Bathurst took the ground that "a House of Assembly would be destructive of the prosperity that the island now enjoyed, limited as

it was, and that there was not a sufficient number of persons in easy circumstances to attend an Assembly." The alternative of resumed connection with Nova Scotia was naturally accepted and acted on. When tidings of the proposed resumption of relations with Nova Scotia reached Sydney, there was a somewhat violent demonstration against it, but without avail. There was no sign of disapproval from St. Peter's and Arichat. On receipt of Lord Bathurst's despatch, a forecast of which had been communicated to him before he left England, Sir James Kempt repaired to Cape Breton, to proclaim the union on the spot, and to make an official inspection of conditions existing there. His tour embraced St. Peter's as well as Sydney. Everywhere he was well received.

By the proclamation the Island of Cape Breton was declared to be "A distinct County of the Province of Nova Scotia, to be called and known by the County of Cape Breton." It further announced the immediate issue of a writ for the election of two members to serve in the General Assembly of Nova Scotia." At the election which was brought on without delay, Lawrence Kavanagh and Richard J. Uniacke, Jr. There were but two polls,—Sydney and Arichat. To anticipate a little for the sake of convenience, it may be here pointed out that Mr. Kavanagh did not take his seat in the session of the House which almost immediately followed his election. As a Roman Catholic he could not conscientiously take the required oaths against "Popery and transubstantiation." At the opening of the ensuing session, it was found that through the active intervention of Sir James Kempt the obstacle had been removed. The Lieutenant-Governor submitted to the House the substance of a letter from Lord Bathurst intimating his willingness to advise His Majesty, to dispense with the oath in the case of Mr. Kavanagh, on condition of his taking the oath prescribed by the Act of 1783. Therefore the House resolved "That His Majesty, having been graciously pleased to give his consent that Lawrence Kavanagh, Esq., elected to represent the County of Cape Breton, a gentleman representing the Roman Catholic religion, should be permitted to take a seat in the House without making declaration against Popery and transubstantiation. That the House grateful to His Majesty for relieving his Roman Catholic subjects from the disability they were heretofore under from sitting in the House, do admit the said Law-

rence Kavanagh to take his seat, and will in justice permit Roman Catholics who may be duly elected, and shall be qualified to hold a seat in the House, to take such seat without making declaration against Popery and transubstantiation, and that a committee be appointed to wait on His Excellency the Lieutenant-Governor and communicate to him this determination of the House." Mr. Kavanagh took the usual state oaths and his seat.

The twelfth general Assembly met at Halifax in its first session, on November 12, 1820. Its members according to the original returns of the sheriffs were:

County of Halifax: William Lawson, George Smith, Samuel George William Archibald, Simon B. Robie.
County of Annapolis: Thomas Ritchie, Samuel Campbell.
County of Lunenburg: Lot Church, John Heckenour.
County of Cumberland: Thomas Rood, George Oxley.
County of Kings: William Chipman, Samuel Bishop.
County of Queens: Snow Parker, Joseph Freeman.
County of Hants: W. H. O. Haliburton, William O'Brien.
County of Shelburne: John Benjoy, John McKinnon.
County of Sydney: John S. Marshall, Thomas Dickson.
County of Cape Breton: Richard J. Uniacke, L. Kavanagh.
Town of Halifax: John Albro.
Town of Truro: Wm. Dickson.
Town of Onslow: R. Dickson.
Town of Londonderry: Jas. Flemming.
Town of Annapolis: John Robertson.
Town of Granville: Timothy Raggle.
Town of Digly: Wm. H. Roach.
Town of Lunenburg: Edward James.
Town of Amherst: James S. Morse.
Town of Horton: Jonathan Crane.
Town of Cornwallis: John Wells.
Town of Liverpool: Jas. R. DeWolf.
Town of Windsor: Wm. Fraser.
Town of Falmouth: William Young.
Town of Newport: Daniel Wier.
Town of Shelburne: J. I. Chipman.

Town of Barrington: Wm. B. Sargent.
Town of Yarmouth: Samuel S. Poole.

Mr. Robie was elected Speaker. Sir James Kempt delivered his first "opening speech": "I shall humbly endeavor to follow the wise and impartial course pursued by my noble and distinguished predecessor." The re-annexation of Cape Breton furnished the topic for a paragraph; the forest fires in Clare and Yarmouth for another.

In the House itself there were long, and indeed able, debates on subjects, which however important then, have lost their interest now —custom houses and the coasting trade generally took up much time. The laws and ordinances of the Province of Nova Scotia were extended to the island of Cape Breton. The trial of controverted elections was transferred from the House sitting as a body to a sworn committee drawn by lot.

Sir James Kempt spent a considerable portion of his time away from Halifax, partly from his interest in the Province as a whole, partly from the keen pleasure that he took in travel and change of scenery. Many weeks had not passed after his first arrival in 1820, when he was off on a trip in his gig as far to the westward as Annapolis. Almost immediately on his return, he sailed for Sydney to issue his proclamation, visiting before his return St. Peter's and Arichat. In the ensuing summer (1821), he spent July in visiting Lunenburg, Liverpool and Shelburne. In Liverpool, then second in commercial importance to Halifax alone, "he dined and lodged with Colonel Joseph Freeman, and next day received an address at the house of the "custos rotulorum," Joshua Newton. He also laid the foundation stone of Trinity Church. Then after a brief pause in Halifax, he visited Pictou and Antigonish, at the former place attending a public examination at Pictou Academy, conducted by its famous principal Dr. McCulloch. This did not complete his summer's round of visitation. He took an intense interest in Cape Breton's affairs, and had heard rumors of dissatisfaction with the recent re-annexation with Nova Scotia.

These rumors came as a surprise, for in the previous March he had reports to Lord Bathurst that "the people, though generally poor, were represented to him as being contented, thriving and happy with the exception of a few individuals about Sydney." So to satisfy himself, and at the same time indulge his taste for travel, he

revisited Cape Breton towards the end of August, and reported to Lord Bathurst on his return that "the people expressed the highest satisfaction at the re-annexation to Nova Scotia." He spent three days at Arichat, which he represents as by far the most important and populous place on the island, enjoying while there the hospitality of wealthy Jersey merchants.

When summer came he resumed his rounds. In June he visited Digby, and then crossed the Bay to see his friend, Sir Howard Douglas, in New Brunswick. Later in the season he paid Sydney and Arichat the compliment of a third visit, calling at Guysborough and Antigonish on the way. We are told that he landed at Guysborough under a salute from the Sherbrooke Battery, while a salute of seventeen guns was also fired by Christian Muller, Esq. At Antigonish he was received with similar marks of respect, and when he left the town was accompanied to the harbor by the principal inhabitants of the district.

Murdock draws a strong picture of the business dulness which marked the year 1822, "No new building of any kind was attempted and no repair or improvement went on." It was, when he wrote, the historian's impression that hardly a man was employed in that year to put on a shingle or clapboard in any place in Halifax."

SUPPORT OF SCHOOLS BY LOCAL ASSESSMENT.

Governors' speeches at the opening of Parliament are proverbially euphemistic; they look only on the bright side of things. If we were not aware of this, we should be more surprised than we are to find Lieutenant-Governor Kempt at the beginning of the ensuing session (February, 1823), congratulating the Legislature "on the improving state of the Province in almost every branch of its industry." There is what appears to be a pretty flat contradiction between Mr. Murdock's recollections of the year 1822 and the groundwork of Sir James' congratulations. The principle of the support of schools by local assessment had its preliminary airing at this session. A bill embodying the principle was introduced by John G. Marshall, who was highly complimented by the leaders of the House on the care with which he had elaborated the details of his proposed measures, but they agreed that "the principle was too objectionable to be adopted." The usual device of reference to a com-

mittee was resorted to. Even when what was intended as its characteristic feature had been extracted by the committee, the Council, to which body it was handed on in a greatly altered form, thought best to strangle it. Mr. Marshall also introduced, or reintroduced, his bill to substitute for the existing attachment law, which gave an insolvent debtor's property to the creditor first seizing it, the principle of equal "pro rata" division of such property among all creditors, under the provisions of a properly formed bankrupt law. Mr. Marshall's bill failed to pass. It encountered the energetic opposition of Mr. Archibald. An Act was passed authorising the appointment of an attorney of five years standing to be Chief Justice of the Superior Courts of Common Pleas for the County of Cape Breton, with 400 pounds a year as salary and an additional allowance of a hundred to travel on. Mr. Marshall, member for the County of Sydney, who had been so active in promoting aggressive legislation during the session was afterwards appointed to this position.

An attempt to endow Pictou Academy with a permanent annual provision of four hundred pounds currency, passed the House but was voted down by the Council.

The event of the summer of 1823 in Halifax was a visit from the Governor General, the Earl of Dalhousie. The Earl when Governor of Nova Scotia had had some tiffs with the House of Assembly, but they left no sting behind them, and were most infinitesimal in comparison with the conflicts which he was constantly compelled to carry on at Quebec with an Assembly which did not take kindly to his attempts to settle English-speaking immigrants in the valley of the St. Lawrence. He was glad to be in Nova Scotia again. Sir James Kempt was a splendid host and made things very pleasant for him. It is needless to go into detail about the addresses, the banquets, the toasts, the balls, the suppers that gave both variety and emphasis to the welcome. Two of the pleasantest features of Lord Dalhousie's visit were the opportunities offered of coming in touch with the rural scenery and life of Nova Scotia. Sir James Kempt took him on a nice trip to Windsor, Horton and Cornwallis. It was planned that on his return to Quebec he should take ship at Pictou and on his overland journey to Pictou, Sir James accompanied him. At Truro, where they spent the night, the people of

Colchester accorded him a hearty and a most appreciative welcome and address. In Pictou, Highland militiamen marched by his side from West River to Pictou Town.

Mr. Grassie, one of the members for Halifax township, having died there was a sharp contest for the vacancy. Charles R. Fairbanks, afterwards Master of the Rolls, won the seat over John Young, Esq. (Agricola). The vote stood 311 to 229 when Mr. Young withdrew.

The business transacted at the legislative session of 1824 was of considerable importance. A motion to the effect that the judicature of the Province, as respects the constitution of the inferior court of Common Pleas requires consideration and amendment "was followed by the passage of an Act abolishing the county or district courts presided over by laymen, and dividing the Province into three judicial districts, with a court in each in charge of a professional man, who should be first justice of the Common Pleas and chairman of sessions. The fight over this "Judge bill" was long and bitter, the lawyers in the House, with the exception of Mr. Fairbanks of Halifax, supporting it, its opponents taking the ground that it was simply a scheme to provide snug positions for some of its leading advocates. It passed by a majority of one, and was immediately agreed to by the Council. The excitement in the Assembly during its discussion recalled the fiery days of Tonge. Colonel Lot Church of Lunenburg, the Joseph Hume of the Nova Scotia House, "was roused to unusual eloquence in denouncing such reckless extravagance." On the day it passed the Assembly, Samuel Cunard and 33 other Halifax citizens memoralized the Council to throw it out. The House lost three of its members as a consequence of the Act. J. I. Chipman, member for Shelburne, was appointed judge for the Eastern District, comprising—Cape Breton was already provided for—the Counties of Cumberland and Sydney (Guysborough and Antigonish) and the Districts of Pictou and Colchester; W. H. O. Haliburton for the Middle District, Hants, King's, Lunenburg and Queens; Thomas Ritchie of Annapolis for the Western District, Annapolis (now Annapolis and Digby) and Shelburne (now Shelburne and Yarmouth). Just prior to this change in the system of judicature, J. G. Marshall, member for the County of Sydney, had been appointed to a similar judgeship in Cape Breton. Four seats

had thus became vacant. At the ensuing election, only one lawyer offered himself as a candidate, and he was decisively defeated.

Among events deemed worthy of note occurring about this time may be mentioned the issue of the prospectus of Nova Scotia by George R. Young (son of Agricola); the arrival in Halifax of Lord Stanley, "the Prince Rupert of Debate," afterwards Earl of Derby, and three or four times Prime Minister of England; the resignation of Bishop Stansor and the succession to the Episcopate of Dr. John Inglis; and the death in his one hundred and third year at Poplar Grove, Halifax, of Colonel Joseph Frederick Wallett DesBarres, late Lieutenant-Governor of Prince Edward Island and previously of Cape Breton. Murdock, with a somewhat singular juncture of adjectives, speaks of Colonel DesBarres as an "amiable and valuable warrior." His title deed to undying fame is really his Atlantic Neptune.

In 1825, Sir James Kempt was in England on leave of absence. The senior councillor, Michael Wallace, treasurer of the Province, served as administrator or acting Governor. To fill vacancies, Benjamin Dewey came in for Hants in place of W. H. O. Haliburton, Abram Gesner of Annapolis in place of Thomas Ritchie, and John Young (Agricola) for Sydney in place of J. G. Marshall. An unsuccessful attempt was made to undo the previous year's action in the matter of the court of Common Pleas. A committee was appointed to inquire into and report on the reservation of mines and minerals in the peninsula and Cape Breton.

Mr. Fraser brought up for adoption by the House the report of the previous year's committee in favor of assessment for the support of schools. Mr. Church was horrified: he claimed that "it would bring more evil than anything the House had done for the last twenty years." He particularly objected to the principle that every school-master was to receive sixty pounds per annum whether he asked that much or not. Others besides Uniacke viewed the plan of assessment as "oppressive and speculative". Many members "wished for time to consider". Assessment for schools was voted down by 24 to 12. Speaker Archibald was in the chair. It was understood that he was in favor of the proposal, which was supported by his brother-in-law, and by his three colleagues for the County of Halifax.

We have failed to mention at the right time and place the fact that Mr. Archibald had received some few years before this the appointment of Chief Justice of Prince Edward Island. In regard to this rather singular arrangement, which left the Chief Justice free to retain his regular residence in Nova Scotia, as well as his legal practice and legislative membership and speakership, everything had been open and above-board. If the people of Prince Edward Island were anxious to have justice administered to them by perhaps the ablest jurist in British North America, Mr. Archibald, at some inconvenience and not much gain to himself, was willing to place his services at their disposal. Such an arrangement was, however, one which, in the nature of things, could be but temporary. There were island lawyers who felt themselves quite competent to fill the post, and as the easiest way of getting at the point the Legislature of Prince Edward Island requested the Governor, Colonel Ready, to inform them whether Chief Justice Archibald was to continue to reside in Nova Scotia and "the colony to be deprived for the greatest part of the year of his eminent talents in the Legislature, as well as his most essential services as Chief Justice". The Governor responded diplomatically: "Gentlemen—I am not aware that it was communicated to me officially, but on Mr. Archibald's appointment to the Chief Justiceship, I was informed that it was with the understanding that he should have permission to reside in Nova Scotia."

At this point Murdock introduces his estimate of Mr. Archibald. He refers to his eloquence, moderation and urbanity; to his combination of spontaneity and preparatory research; to his self-control; to his power of persuasion, quickness in reply, readiness in illustration. "He discerned the salient points and true bearings of argument, and when aroused to exertion was powerfully convincing". Mr. Murdock interestingly adds that his weight in the Assembly was increased by the fact that three Colonel Dicksons, who had seats, were his brothers-in-law, that Mr. Smith was a friend and connection, while his other colleagues for the County of Halifax were partly obliged to him for their seats, as his power in Colchester and Pictou was considerable. Added to this, he was somewhat in favor with General Kempt.

Sir James Kempt was back to meet the Assembly of 1826. During his absence, on St. George's day, Halifax had celebrated Mr.

Huskisson's removal of the restrictions under which colonial trade had long languished in a very demonstrative manner. To this long delayed commercial freedom, the Governor of course referred in his opening speech and anticipated a considerable increase of revenue to accrue therefrom. He hoped that it might be in their power to undertake great public improvements, and speaking as a British Governor rather than as looking after the interests of Nova Scotia, to relieve the parent state from some expenses of the civil list, still defrayed out of the revenues of the United Kingdom.

The question of assessment for schools came up again under the direction, as before, of Mr. Fairbanks. This time the bill passed, but not without an important modification, that the principle should not take effect in any school district unless with the consent of two-thirds of the taxable inhabitants. Matters connected with the Shubenacadie Canal took up a great deal of time.

MEETING OF THE GOVERNORS.

The most important item of business was provision for a new legal official called the Master of the Rolls. This action was taken at the direct instance and request of the Lieutenant-Governor. It appears that in the Chancery Court the Governor himself had heretofore presided, and that His Excellency had often, generally indeed, found the decision of nice points of equity distinctly embarrassing. The lawyers, who saw a new possibility of promotion looming up based their pleas on behalf of the measure, on the propriety of even going out of their way a little to gratify Sir James Kempt, who desired to be relieved of a duty so entirely foreign to his training. Besides His Majesty's Ministers favored the bill, and "the peculiar favors which the Province had received from the mother country, had every claim upon our respect and gratitude." Outside of the lawyers it got support from many influential members, but from Colonel Church, at the head of his severely economical squad, it encountered the stoutest opposition. Sir James Kempt's popularity carried all before it. The bill passed twenty to ten. A subsequent one fixed the permanent salary at six hundred pounds. Mr. Robie was appointed to the new office, and Mr. Archibald took Robie's place as Solicitor-General.

On the 11th of April (1826) the Assembly was dissolved and writs returnable on the 6th of July, were issued for a new election.

The outstanding social and spectacular event of the summer was the so-called "Meeting of the Governors" in Halifax. The first of the dignitaries to arrive was Sir Howard Douglas, the excellent and highly educated Governor of New Brunswick, who with Lady Douglas and daughter came from St. John in H. M. S. *Niemen,* Captain Wallis. Almost simultaneously H. M. S. *Valorous* brought John Keane, the Governor of Jamaica, with his full suite. To complete the gathering, the Governor-General of Canada, Lord Dalhousie, now paid Halifax his second visit since retiring from the Governorship of Nova Scotia. It is not known what public end, if any, this concourse of rulers was intended to promote. No pains were spared to make the visit, whatever may have been its object, a pleasant one. Rear-Admiral Lake, with his flag-ship *Jupiter* happened to be in port; the weather was fine; every condition of enjoyable festivity was at hand. Regattas on the harbor, races on the Common, dinners on the *Jupiter,* balls at Government House and in the Province Building, entertainments at Dartmouth in connection with the breaking of ground for the Shubenacadie Canal by the Governor-General, furnished a fine variety of entertainment. The Countess of Dalhousie who had not accompanied the Earl on his former visit to Halifax, was acclaimed with almost rapturous enthusiasm. When the Earl and Countess had embarked in H. M. S. *Menai* for their return to Quebec, the wind was too light and baffling for an easy clearing of the shore. They landed and spent a pleasant evening with Mr. and Mrs. Collins at Gracebrook.

Some months after this meeting in Halifax, rumors got in circulation that there was soon to be an extensive shaking up of governmental appointments. Lord Dalhousie, who really seems to have been a decided misfit at Quebec, was to be recalled, and Sir James Kempt take his place, the course which events actually took within a couple of years. Sir Peregrine Maitland was to be brought down from upper Canada to Nova Scotia, which forecast was also realized. For some reason the intimation that Sir John Keane was to go from Jamaica to upper Canada alone failed of fulfillment. "Sir John Keane was a distinguished Lieutenant-General who was afterwards raised to the peerage. The successor to Sir Peregrine Maitland was

the Waterloo "fighter" who disputes with him the power of hurling back the old guard of Napoleon and so winning the great day—Sir John Colborne.

In August, Sir James Kempt got off on his own travels. He sailed in the government brig *Chebucto* for Saint Peters and Sydney, and on the return voyage called at Pictou. Having returned to Halifax he looked after the seven blooded horses and sixty Dishley sheep for the purchase of which he had made arrangements when in England. Then the indefatigable traveler left for another cruise through Hants, Kings and Annapolis.

We have now our last chance to draw on Murdock for the names of the H. M. Councillors:

His Majesty's Council in 1826—Chief Justice Blowers, president. The Right Rev. Lord Bishop of Nova Scotia, John Inglis, D. D., Messrs. Wallace, Uniacke, Morris, Jeffrey, Stewart, Haliburton, Binney, Collins, Robie and Prescott. It may be interesting to note the lineage of the councillors; the following were Loyalists from the revolted colonies or of Loyalist descent; the Chief Justice, the Bishop, Wallace; Provincial Treasurer, Stewart; Judge of the Supreme Court, Haliburton; Master of Rolls, Robie. The following were of New England pre-Loyalist stock: Binney, collector of Import and Excise; Collins and Prescott, Halifax merchants; Uniacke, though of Irish birth, may be counted as a Nova Scotian. Jeffery was an English official, filling the post of Collector of Customs.

The newly elected Assembly met on February 1, 1827. The members returned were:

County of Halifax: Samuel George William Archibald, William Lawson, George Smith, Lawrence Hartshorne.

County of Annapolis: Thomas Chandler Haliburton, William Henry Roach.

County of Lunenburg: Lot Church, William Rudolf.

County of Cumberland: Alexander Stewart, Joseph Oxley.

County of Kings: Samuel Bishop, John Starr.

County of Queens: Joseph Freeman, John Barss.

County of Hants: Benjamin DeWolf, (John MacKay died after the election, on November 28, 1826.)

County of Shelburne: John McKinnon, J. B. Moody.

County of Sydney: Thomas Dickson, John Young.

County of Cape Breton: Richard John Uniacke, Junr., Lawrence Kavanagh.

Town of Halifax: Charles Rufus Fairbanks, Beamish Murdock.

Town of Truro: Charles Dickson Archibald.

Town of Onslow: John Crow.

Town of Londonderry: John Wier.

Town of Annapolis: James R. Lovett.

Town of Granville: Timothy Ruggles.

Town of Digby: John Elkanah Morton.

Town of Lunenburg: John Heckman.

Town of Amherst: James Shannon Morse.

Town of Horton: James Harris, Jr.

Town of Cornwallis: John Morton.

Town of Liverpool: James Ratchford DeWolf.

Town of Windsor: David Dill.

Town of Falmouth: William Henry Shey.

Town of Newport: Shubael Dimock.

Town of Shelburne: Nathaniel Whitworth White.

Town of Barrington: John Homer.

Town of Yarmouth: Samuel Sheldon Poole.

The new names to be particularly noted are Thomas Chandler Haliburton, Alexander Stewart, and Beamish Murdock. These gentlemen all destined to attain great distinction in various walks of life are now before us simply as parliamentarians.

Mr. Archibald was re-elected Speaker. Mr. Fairbanks raised a question which had been particularly considered in the last House, named the right of the provincial treasury to all the monies collected under the Imperial Custom law. While making this claim, the House would cheerfully pay the salaries of the Custom House officers. It simply demanded, or should demand, the right of handling its own money. Mr. Haliburton (afterwards "Sam Slick" and judge) strongly deprecated Mr. Fairbanks' tone of argument. This was not the case of two hostile parties coming together, but that of a parent and child. He saw no disposition to infringe on our rights, but a desire to befriend us and protect us. He drew a picture of John Bull's oldest son, Jonathan, striking his father, which Murdock, who was present, tells us "exceedingly amused the House".

The first of Fairbanks' resolutions, which simply thanked the Imperial Government for freeing trade from restrictions passed unanimously. The second which claimed all monies collected under the Custom Act, passed 19 to 15. For the third, which proposed a bill authorising the collectors to retain from their collections enough money to pay the Custom House salaries, there was substituted an address to the King asking for an acknowledgment of the principle.

The House unanimously appointed a committee to prepare an humble address to His Majesty, requesting His Majesty to be graciously pleased to dispense with the declarations and test oaths against property which H. M. subjects in this colony are called upon to take. "The resolution was moved by Uniacke and seconded by Mr. Haliburton. Both made eloquent and moving speeches. Haliburton particularly so". Murdock, who sat on the "red benches" near the Speaker, says that the latter's "speech was the most splendid piece of declamation it was ever his fortune to listen to. The healthy air of his native Windsor had given him a robust appearance, though his figure was yet slender and graceful. He absolutely entranced his audience with the coruscations of genius, playing with classic and historic imagery, and appealing to the kindest feelings of humanity". We regret that we can find room only for his touching reference to good Abbé Segogne and for the concluding paragraph.

"Look at the township of Clare; it was a beautiful sight; a whole people having the same customs, speaking the same language, and uniting in the same religion. It was a sight worthy the admiration of man and the approbation of God. Look at their worthy pastor, the Abbé Segogne; see him at sunrise, with his little flock around him, returning thanks to the giver of all good things; follow him to the bed of sickness; see him pouring the balm of consolation into the wounds of the afflicted, into his field, where he was setting an example of industry to his people, into his closet, where he was instructing the innocence of youth, into the chapel, and you would see the savage, rushing from the wilderness with his wild and ungovernable passions upon him, standing subdued and awed in the presence of the holy man. You would hear him tell him to discern this God in the stillness and solitude of the forest, in the roar of the cataract—in the order and splendor of the planetary system, and in the diurnal change of night and day. That savage forgets not to

thank his God that the white man has taught him the light of revelation in the dialect of the Indian.

"Every man who lays his hand on the New Testament, and says that is his book of faith, whether he be Catholic or Protestant, churchman or dissenter, Baptist or Methodist, however much we may differ in doctrinal points, he is my brother, and I embrace him. We all travel by different roads to the same God. In that path which I pursue, should I meet a Catholic, I salute him—I journey with him; and when we shall arrive at the *flammantia limina mundi* —when that time shall come, as come it must—when the tongue that now speaks shall moulder and decay—when the lungs that now breath the genial air of Heaven shall refuse me their office—when these earthly vestments shall sink into the bosom of mother earth, and be ready to mingle with the clods of the valley, I will, with that Catholic, take a longing, lingering, retrospective view. I will kneel with him; and instead of saying like the presumptuous Pharisee, 'Thank God I am not like this papist,' I will pray that, as kindred, we may be equally forgiven; that as brothers. we may be both received."

CHAPTER XIII.

Governor Maitland and the General Assembly—The Brandy Dispute—Richard John Uniacke—Resignation of Chief Justice Blowers—Joseph Howe in Famous Libel Suit.

Sir Peregrine Maitland met his first Assembly in 1829. He departed from the stereotyped method of submitting a programme of measures for consideration, and contented himself with the assurance that he would freely communicate with the House by message as the public interests might seem to require. Though in each of the Assemblies during the Maitland period there was a comparatively large number of able men, characterised in the main by a non-partisan spirit, it cannot be said that much constructive legislation of value was accomplished in either. A large part of the first session held under Maitland's governorship was spent in a disagreeable wrangle with a quarrelsome and contumacious member, the details of which, as they teach no valuable lesson, may well be spared. Otherwise the history of the four sessions from 1829 to 1832 is the record of a series of efforts on the part of the House to protect its rights from invasion by either the Imperial authorities and its officials, or by the Council.

At a previous session the Assembly had addressed a respectful note of inquiry to the Treasury Board as to the proper way of disposing of the customs revenues of the Province. The note pretty clearly intimated that in the opinion of the House all money collected in Nova Scotia under Imperial Acts should be paid over to, and expended by, the provincial authorities. Beneficent as was the Imperial legislation of a few years previous, which had so largely removed the shackles from colonial trade, it had not gone far enough. The interests of an expanding commerce demanded that all anomalies and obstructions be swept away. Why should the custom house magnates dictate to, and tyrannise over, free-born Nova Scotians? To this representation the Lords Commissioners of the Treasury did not vouchsafe a direct answer, did not indeed in their communica-

tion refer to the principles involved at all. A practical compromise was suggested, which after an almost interminable discussion seems to have been accepted. As to whether our old-time legislators were wise in accepting, by a small majority, the doctrine that "half a loaf is better than no bread," who now can venture to say, seeing that those legislators themselves were so much divided in opinion on the point? If they had to make a concession to the Imperial view, they determined to at least formally adhere to this principle: "The bill (embodying the compromise) must expressly reserve the right of the Assembly to have sole disposal of the customs duties." Then there was the vexatious question of the quit-rents, the tax of about a farthing an acre on all granted lands in Nova Scotia. No systematic and continuous effort to collect this Crown rent had ever been made. The people were generally too poor, and always unwilling, to pay it. After the matter had soundly slumbered for forty or fifty years, an attempt was made to revive it in 1811. To give one of Attorney General Uniacke's sons something to do, he was appointed "Receiver General of the Quit-Rents." When he had collected about six hundred pounds, out of a total average of forty thousand, the scheme had to be abandoned, that is, laid aside for the time. It was kept in reserve as a rod to be used whenever refractory Nova Scotians might be thought to need a little fatherly chastisement. In 1827 the Secretary for the Colonies proposed to cancel all arrears up to that year, and then proceed regularly with their collection. The following year—Sir James Kempt's last session, the House, objecting to this, asked His Majesty to either relinquish them, or at least stop collecting them. So now comes another compromise proposition. The annual total of quit-rents was about four thousand pounds. The Lords of the Treasury were willing to accept two thousand and hand the money over to the Province for its own purposes. Speaker Uniacke and Agricola urged the acceptance of the offer. Mr. Murdock's amendment that what the people of Nova Scotia wanted was the total abandonment of the claim met with almost universal acceptance. A session or two later the Imperial proposition was agreed to and quit-rents ceased to be a legislative bugbear, except as a matter of reproach against the House which had confirmed them.

The second (1830) of Sir Peregrine's sessions was a memorable

one. The Governor himself was absent, spending the winter in Bermuda, in the interests of his health. According to precedent, Michael Wallace, the senior available councillor, acted for him. This was the session of the "Brandy Dispute"—called by one writer "a remarkable epoch.

DISCUSSION OF REVENUE LAWS.

At the session of 1825 the revenue laws of the Province had been thoroughly revised. In order to lay their proper burden of taxation on the wealthier classes—rum was the poor man's beverage—the tax on foreign brandy was raised from one shilling a gallon to one shilling and four pence. For four years Nova Scotians who liked brandy and who could afford such a luxury, went on buying and drinking it as usual. No one noticed that the increased duty had been followed by a rise of price, as economic laws would seem to have required. A firm in Halifax, the largest importers of brandy in the Province, petitioned the House to make good a loss which they claimed to have sustained in paying certain duties at the custom house. The doubloons tendered and received in payment had been underrated in value by the Costom House officials.

When this doubloon matter was under investigation, it somehow came to light that since 1826 there had been a loss to the Province of four pence on every gallon of brandy imported. The duty had been collected on the old rate of a shilling a gallon, the collector justifying his action by a somewhat strained interpretation of the later act. From the fact that none of those who so rigorously condemned this alleged evasion of the law dwelt much on the precise terms of the Act of 1826, it is reasonable to infer that though its general meaning and intent were clear, certain parts of it had been rather carelessly drafted.

Astounded beyond measure by this unexpected and embarrassing revelation, the Assembly, with a revenue item of seven hundred pounds a year clear at stake, saw that there was no time to lose. A new act, unmistakably explicit in its terms was at once framed and put in course of passage. When it reached the Council its progress was arrested. The Council asked for a conference, at which, when granted, its representatives took direct issue with the proposal to re-establish in clear terms the shilling and four pence duty. It was

argued that it was "a burden upon commerce greater than commerce could bear." This was on March 29th, and at midnight of the 31st, all revenue Acts would expire. On the morning of the latter day, a second conference was held without result, in the afternoon, all other revenue bills came down from Council duly agreed to and received the formal sanction of Sir Peregrine. A message an hour later informed the House that the Council did not agree to the bill respecting duties on spirituous liquors. A revenue of forty thousand pounds was to be thrown away rather than submit to an extra four pence a gallon on brandy. There was great excitement throughout the Assembly chamber and the corridors of the Province Building when this perplexing deadlock was disclosed. No one had a suggestion to offer to relieve the situation. On the resumption of the business next day, Mr. Stewart, of Cumberland, who had taken an active part in promoting the measure from the beginning, introduced a new bill, to revive the Act of 1825, which had just expired. This was put at once through all its stages and transmitted to the Council. Five days elapsed before it came back to the House, with a memorandum stating that it was disagreed to, (1) because it imposed "a burden greater than commerce could bear," and (2) because it was contrary to Parliamentary rule, to consider the second time in the same session, a bill already disposed of. The chief debate on the "Brandy Question" in the Assembly took place when Mr. Stewart's bill went before the Committee of the Whole. At a prior stage all that could be said in favor of the action of the Customs Department and the attitude of the Council had been adroitly and ably said by Richard J. Uniacke, Jr., member for Cape Breton, who, however, when the final division came, had only two members to support him, Mr. Hartshorne, of Halifax, and Mr. Barry, the "contumacious" member for Shelburne, whom, after imprisonment and expulsion, his constituents had sent back to represent them for the remainder of his term.

SPEAKER ARCHIBALD'S VIEWS.

When the House is in Committee of the Whole, the Speaker has an unchallenged, even if seldom experienced, right to participate in the discussion. Of this right, on this occasion Mr. Speaker Archibald availed himself, delivering the most memorable of all his par-

liamentary utterances in defence of the principle that the determination of all questions relating to taxation is the supreme prerogative of the direct representatives of the people. While the Speaker's eloquent reasoning contributed to the triumphant passage of Mr. Stewart's bill through the House, it had no effect on the adverse opinion and action of the Council.

For a year the Province had to do without a revenue from spirituous liquors. At the next session—a general election having intervened—the Council receded from its position and the duties were restored, that on brandy being put at the old figure of one shilling and four pence. The general election of 1830 was brought on by the dissolution of the Assembly consequent on the death of His Majesty, King George the Fourth. Candidates bearing ever so indistinctly the ear-mark of the Council, found themselves through the Province generally, at a decided disadvantage, when confronting the people at the polls.

It has been suggested that the case of Council was not so hopelessly weak and indefensible as the Assembly orators represented, and modern opinion still represents, it to have been. If its real object was simply to maintain its own constitutional rights and prerogatives, rather than to practise discreditable favoritism towards some of its members, it certainly chose its battleground most unwisely. It did not require Archibald's eloquence to inflame the public mind against the underhand practices of merchants and customs officials. But it is not so clear after all that the Council, including as it did, men like Uniacke and Haliburton actually planted itself on demonstrably unconstitutional ground. It was admitted that the Council could not initiate or amend money bills, but the right of rejection was claimed, which, it was held, included that of explaining the grounds on which rejection was based.

In bringing to a close the session of 1830, so large a part of which had been taken up with the vexatious and still unsettled brandy question Mr. Wallace, administrator of the government, found little accomplished legislation to take note of, "in consequence of differences of opinion on points which had long been established and recognised as necessary for the satisfactory and effectual conducting of the affairs of a government constituted as ours is."

A little later he wrote to the Colonial Secretary that he was sure that the Governor on his return would see the necessity of the dissolution, "since from what had passed during the late session, it appeared to him no business could be done satisfactorily with it." Sir Peregrine returned from Bermuda towards the middle of June, but does not seem to have been particularly impressed with the necessity of relieving the existing deadlock. He was rather inclined to give the problem a little time to settle itself. Instead of dissolving the Assembly, he prorogued it to a later date. What he would have done had George the Fourth survived the summer, no one knows. The news of the King's death reached him on August 4th. The dissolution of the Assembly, as parliamentary precedent then ran, had already occurred. Writs for the new House were made returnable on November 8th. The whole country bubbled with excitement over what was supposed to be a life and death struggle between the popular Assembly and the Crown-nominated Council.

While waiting for the election to come off, we may take note of events of importance outside of politics and legislation. On the 5th of February, while the latley dissolved House was still in session, the death of Judge James Stewart caused a vacancy on the Bench of the Supreme Court. An intimation conveyed to the Solicitor General, Mr. Archibald, that the seat was at his disposal, not having been entertained, it was filled by the appointment of Richard John Uniacke, Jr., who, with Mr. Kavanagh, had represented the County of Cape Breton during the ten years following its re-annexation to Nova Scotia. During the parilamentary career, thus brought to an end, Mr. Uniacke had filled a somewhat embarrassing position in a manner creditable alike to his temper and to his intellectural powers. Occupying a seat in the House, at the time his own father was the dominating spirit in the Council, he was almost necessarily committed to the unpopular side on all questions concerning which the two bodies were at variance. In the Brandy Dispute, considering the odds against him, not only in numbers, but also in debating power, and in the nature of the case entrusted to him for defence, none of his friends had reason to be ashamed of him. His judicial career was a brief one. Some fatal seizure laid him low within four years of his elevation to the bench.

CAREER OF RICHARD JOHN UNIACKE.

On October 11, 1830, or a few weeks before the general election to which our narrative is leading up, there passed away at Mount Uniacke, his country-seat in Hants County, the elder Richard John Uniacke, whose career, remarkable as it appears, would doubtless seem more so, had greater publicity attached to the proceedings of His Majesty's Council, where his influence was chiefly exerted and where he was the directing spirit, the "power behind the throne," from 1808 to 1830. We have already pointed out that in the legal sphere, he was one of the Crown lawyers from 1783 to 1830, Solicitor General, 1783-1797, Attorney General, 1797-1830. He was also King's Advocate in the Vice-Admiralty Court during the long war period from 1793 to 1815. The salary attached to the Solicitor-Generalship was nominal; that of the Attorney-Generalship quite moderate. The fees paid the King's Advocate were, however, of gratifying large dimensions, and as Napoleon and Madison combined to make business brisk and constant in Judge Croke's Court, the basis of a comfortable fortune was laid.

As became an Irishman, Richard John Uniacke was large-hearted, charitable, and impulsive. For some reason one of the most unique characters in Nova Scotian history has had no formal biography. For this reason, apart from its intrinsic excellence, Hon. L. G. Power's sketch in the Nova Scotia Historical Society's collection is very valuable as well as interesting. Here is the final portraiture: "Taking him altogether, in his religious capacities, as lawyer, citizen, politician, husband, father, member of the social circle, and Christian, Richard John Uniacke was an admirable and noteworthy man, a man to whom this Province owes a deep debt of gratitude, and upon whose record his descendants can look back with just pride and satisfaction. He was broad and human, resembling in that respect the late Mr. Howe, and the face that looks at me from the picture at Mount Uniacke is calculated to inspire affection as well as respect and confidence, the face of one of whom it would be naturally said:

> "His life was gentle; and the elements
> So mix'd in him that Nature might stand up,
> And say to all the world, 'This was a man.'"

All of his ambitions were not gratified. He never became Chief Justice. Blowers had no claim to the Attorney Generalship when he outdistanced him in 1784, nor any to the Chief Justiceship in 1807, except the mere fact that he already was Attorney General. If it be ture, as we suppose it is, that Uniacke's heart was set on reaching the highest round of the judicial ladder, one wonders why. To have climbed to the top would have added titular and professional distinction, and brought an increase of emolument, but the humble office afforded much the better facilities for gratifying the ruling instinct so strongly implanted in his nature.

GENERAL ELECTION OF 1830.

The members returned at the election of 1830 were:

County of Halifax: William Lawson, S. G. W. Archibald, George Smith, Jothan Blanchard.
County of Annapolis: William H. Roach, John Johnston.
County of Lunenburg: William Rudolf, John Creighton.
County of Cumberland: Alexander Stewart, Joseph Oxley.
County of Kings: Samuel Chipman, Elisha DeWolf, Jr.
County of Queens: Joseph Freeman, James R. DeWolf.
County of Hants: W. B. Bliss, Benjamin DeWolf.
County of Shelburne: John Forman, Herbert Huntington.
County of Sydney: John Young, Thomas Dickson.
County of Cape Breton: James Boyle Uniacke, L. Kavanagh.
Town of Halifax: Charles R. Fairbanks, Stephen W. DeBlois.
Town of Truro: Alexander Archibald.
Town of Onslow: Robert Dickson.
Town of Londonderry: John Wier.
Town of Annapolis: James R. Lovett.
Town of Granville: Timothy Ruggles.
Town of Digby: Charles Budd.
Town of Lunenburg: John Heckman.
Town of Amherst: James S. Morse.
Town of Horton: James Harris, Jr.
Town of Cornwallis: John Morton.
Town of Liverpool: James Barss.
Town of Windsor: David Dill.

Town of Falmouth: William H. Shey.
Town of Newport: Felix Cochrane.
Town of Shelburne: Charles Roche.
Town of Barrington: John Homer.
Town of Yarmouth: (Reuben Clements[1]), S. Poole.

Of the names now appearing for the first time in the Assembly roster only two demand notice as prefiguring lengthy and notable parliamentary careers, those of Herbert Huntington and James Boyle Uniacke. After ten years of the most vigorous and uncompromising antagonism on the floor of the House, those eminent men came together as leading supporters of Mr. Howe in his final dash for responsible government, and as partakers of his triumph.

As a whole the returns indicated that the Council and its policy were strongly condemned throughout the Province. Archibald and his three colleagues swept the County of Halifax, despite the energetic efforts of the wholesale importing interests of the city to defeat them. Hartshorne went out of the city with a lead of 300, but was swamped in the districts. Barry, who was one of the three who stood by the Council to the last, was thrown out at Shelburne.

On the other hand, the Council picked up some crumbs of comfort. The mercantile magnates, aided by a most injudicious deliverance on the part of the candidate himself, defeated Mr. Murdock in the city of Halifax, W. B. Bliss, shortly to take a seat on the bench which he did so much to adorn—was returned as one of the members for the County of Hants, where he was a large property owner. He allied himself with the forces favorable to the Council's policy. The return of James Boyle Uniacke for the County of Cape Breton assured the minority of the House of a brilliant and capable leader.

SENTIMENT OF THE BRANDY QUESTION.

Mr. Archibald was unanimously re-elected Speaker. As soon as the preliminary routine matters were attended to, the brandy battle was resumed. Stewart of Cumberland, who really had charge of the rejected measure of the previous year—Speaker Archibald's speeches were delivered in the Committee of the Whole—and who had ably and adroitly guided them through the House, took charge

[1] Unseated on petition.

again. He moved a resolution on which to found a bill, re-establishing the duty of one shilling and four pence per gallon on brandy. Bliss interposed many subtle and specious objections. Fairbanks, whose seat for the Town of Halifax, had not been very vigorously contested by the Council's friends, pursued a similar policy of legal mystification. But the great body of members understood the matter too well to be misled by sophistry. The resolution and the bill were not even challenged to divisions. The House had triumphed. Transmitted to the Council, the bill was quickly and unanimously accepted. The brandy question and the constitutional issue which it involved were settled. The line of distinct cleverage developed in connection with the discussion over the reveue bills for the most part disappared with the settlement of that particular question. On various proposals submitted during Sir Peregrine Maitland's last two sessions to maintain and extend the fiscal rights and perogatives of the Province against both Crown and the Council, considerable differences of view were disclosed among members who had been united as one man to sustain the four pence a gallon on brandy. These differences, however, were largely on matters of detail. There was a pretty general union to resist all extension of monopoly and privilege. It cannot be said, however, that its submission on the brandy question had sensibly weakened the authority and prestige of the Council. The failure to establish a new claim did not mean the abandonment of established prerogatives. A hard fight yet lay before the champions of constitutional reform.

In omitting special reference to the legislation, attempted or accomplished during the two sessions referred to, it is convenient at this point to say farewell to Sir Peregrine Maitland himself, though he did not actually leave our shores until 1832. As he was taking his departure, *The Nova Scotian* was kind enough "for his amiable lady's sake, to wish him one of the many snug sinicures with which old England abounds." Instead of a snug sinicure the retiring Governor found further opportunity for active duty awaiting him across the ocean. From 1836 to 1838 he was Commander-in-Chief of the army in Madras, and from 1843 to 1846 Governor and Commander-in-Chief at the Cape of Good Hope. Despite dyspepsia and the abstemiousness which it enforced he managed to round out a full-orbed life, not dying until 1854.

Sampson Salter Blowers had been Chief Justice of the Supreme

Court since 1797, the long period of thirty-five years, following a term of thirteen years as Attorney General. For some time naturally the question of his retirement had been mooted. It was understood that personally he had no desire to retain an office, most of whose duties had for some years been performed by another judge. The succession was the point at question. As soon as that was settled to the satisfaction of the Colonial Secretary, he was ready to step down. With that succession three names had been prominently connected in legal and political circles. Had a vacancy occurred either by death or resignation, while Attorney General Uniacke was in his prime, or his age not too far davanced for the adequate discharge of the various duties of the office, beyond question he would have been named as Chief Blowers' successor. Blowers outlived him. Uniacke's death had reduced the number of talked-of successors to two, and these two were keen competitors for the post, each taking a hand personally in the exciting game. For some months after the death of Attorney General Uniacke, the position thus vacated was left unfilled, at the special instance of Sir Peregrine Maitland, whose favorite candidate for the Chief Justiceship was Justice Brenton Haliburton, Senior Puisne Judge of the Supreme Court. Sir Peregrine (or his advisers) feared that if the other candidate for the contemplated vacancy in the Chief Justiceship, Solicitor General Archibald, were at once named Attorney General, it would give him an undesirable advantage in the competition. An awkward compromise between what was right and proper, and what seemed expedient, was at length effected. Speaker Archibald was appointed "Acting" Attorney General, for it would not have done to risk the outburst of indignation sure to have been excited by putting anybody else in the place.

ARCHIBALD AND HALIBURTON COMPARED.

The appointment of a successor to Chief Justice Blowers rested with the Colonial Secretary in London, and it took the Colonial Secretary a long time to make up his mind. There was good reason for his hesitation. The rival candidates for preferment had each strong points in his favor. Acting Attorney General Archibald was a man of irreproachable character and unrivalled influence in the country. He was at the head of the bar and Speaker of the Assembly. For

thirty-six years he had represented the largest and most important constituency in the Province without suffering defeat or undergoing a closely contested election. For five years he had been Chief Justice of a neighboring colony. For ten years or more the age and infirmities of Uniacke had devolved on him as Solicitor General the chief Crown practice in the courts. As he was in the prime of life and in vigorous health, it would be difficult to conceive of a qualification which he lacked.

While Judge Haliburton could not present such a wide array of claims and qualifications, there was considerable matter to urge in his behalf. Raised to the bench a few years after his admission to the bar, his practice as a lawyer was not worth mentioning in connection with his rival's, but he had acquired the judicial habit by more than twenty years service on the bench, to say nothing of the fact that for not a few years the actual duties of the Chief Justiceship had devolved upon him. Every good thing could be said of Archibald's character could he said of his. If when promotion on the bench comes in the way of a man who has earned honorable distinction in the discharge of his duties, and who is at the same time a Christian gentleman of the highest type, what good reason can be assigned for withholding it?

While Lord Goderich, the Colonial Secretary, was endeavoring to make up his mind, the Council, every member of which was strongly in favor of Haliburton's claims, found it convenient to accredit him as the bearer of an address to the Crown on the subject of duties on foreign timber. Mr. Archibald, about the same time, paid a sightseeing visit to the old land. Something is known of what both saw, said and did in London, except on the subject of interviewing Lord Goderich.

At length the Colonial Secretary made up his mind. He wrote to Mr. Jeffrey, who was acting as administrator in Sir Peregrine's absence, desiring him to confer with Chief Justice Blowers, Judge Haliburton, and Mr. Archibald, "with perfect freedom on the whole subject." If Mr. Blowers retires, it must be assumed that this course is most agreeable to himself. Mr. Haliburton's claims cannot be overlooked considering that he had for so long a time discharged the duties of Chief Justice. All this was to be explained to Mr. Archibald. Lord Goderich was particularly anxious to let that gentleman know that his zealous efforts in His Majesty's service were highly

appreciated and that until something more advantageous could be effected for him, he hoped "to make an addition to the salary of the Attorney General, which he did not at present consider suitable to the great importance of the office." On the receipt of this mandate, Mr. Administrator Jeffrey did not let a moment slip. Chief Justice Blowers resigned at once and Justice Haliburton was commissioned as his successor.

LAST OF THE WAR GOVERNORS.

In 1834 Sir Colin Campbell, the last of the "War Governors," who intervened between Wentworth and Falkland, was duly installed at Government House. As Sir Colin was entirely without experience in the conduct of civil affairs, his appointment was simply a recognition of distinguished military services. Nova Scotia was on the whole a quiet, well-behaved colony, where veterans could rest and be thankful. Bred to arms the new Governor, as long as war lasted, had spent his life in the field, as the inseparable companion of Wellington, in India, in the Peninsula, and in Belgium. He fought with Sherbrooke and Dalhousie at Talevera and "climbed the steeps of Badajos," with Kempt and Maitland. Three horses fell under him in the supreme struggle at Waterloo, when as Commandant-at-Head-Quarters, he carried the great Captain's orders, and messages of cheer, from one end of the "thin red line" to the other.

Other events of importance marked the year 1834. In the Assembly, the spirit of restless chafing under the domination of the Council, which had somewhat languished since the dying out of the "Brandy Dispute," decidedly revived. The creation of seats for the townships of Sydney and Arichat had brought into the House new members in the persons of Edmund Murray Dodd and Lawrence O'Connor Doyle, each destined to achieve considerable distinction in the political history of Nova Scotia. The latter identified himself warmly with the large section of the House which was bent on reforming the methods, and as far as possible, the organic constitution of the Council. Stewart, the leader of the popular forces in the Assembly, was moved to renewed activity by the presence at his side of such a fighter as the eloquent, witty, and impulsive Irishman. A formidable broadside attack was at once organized. The hitherto impenetrable wall of seclusion and secrecy was to be bat-

tered down. Two further steps might be expected to follow, the admission of a large quota of new members representing the various interests of the country districts, and more essential than anything else the complete divorce of executive from legislative functions. All that failed to give point and interest to the debate in which Mr. Stewart's propositions were discussed, was everybody's complete ignorance as to how any practical effect could follow their adoption.

FAIRBANKS SUCCEEDS ROBIE.

In 1834 Simon Bradstreet Robie, the first of four eminent men who filled in succession the long since defunct post of the Master of the Rolls, voluntarily retired from the Chancery Bench. The vacancy was filled by the appointment of Mr. Charles Fairbanks, whose record in the Assembly gives the impression that he was a man of independent views and, withal, more interested in financial and economic questions than in those relating to constitutional rights and prerogatives. James W. Johnstone, one of the leading practitioners of the Halifax bar, became Solicitor General in succession to Mr. Fairbanks. The appointment of Mr. Johnstone had no special political significance, though of course it indicated generally that he was regarded with favor by the Crown, or by those on whose nomination the Crown acted. The salary attached to the post was ridiculously small; the duties correspondingly light. Its attraction for lawyers lay in the professional promotion which it was supposed to prefigure. It is entirely incorrect to represent Mr. Johnstone's memorable career as a public man as dating from his appointment as Solicitor General in 1834. It rather dates from his entrance into Sir Colin Campbell's Councils four years later. He himself tells us that these four intervening years—from 1834 to 1838—instead of being spent in political activity, open or secret, were assiduously devoted to his private business. His sudden emergence on the scene in 1834 is one of the most remarkable incidents in what was a political point of view, one of the most remarkable epochs in our provincial history.

JOSEPH HOWE AND THE NOVA SCOTIAN.

In 1828, Joseph Howe, son of a Loyalist from Boston, who was for many years "King's Printer" of the Province, purchased from

its founder, George Rennie Young, second son of John Young, the well-known member from Sydney County, a small weekly newspaper called the *Nova Scotian*. Starting modestly and feeling his way by varied experimentation, Mr. Howe, by his industry, his quickness of apprehension, his fine literary gifts, his versatile abilities, and the ardor of his patriotic devotion to the interests of Nova Scotia, succeeded not only in increasing the circulation and influence of the *Nova Scotian*, but in impressing on its pages the stamp of his own inspiring individuality. At first cautiously neutral—indeed decidedly reticent—on all matters of controversial politics, he soon saw that his paper had little chance of becoming a recognised organ of public opinion if it fought shy of reporting and discussing what was in everybody's mind and on everybody's tongue. In the main it allied itself with the reforming party in the Assembly, and lent its leaders in their various conflicts with Crown and Council, an earnest and effective, but by no means, unqualified and uncritical support.

One of these events "which, taken at their tide, lead on to fortune" was at hand. On New Year's Day, 1835, the *Nova Scotian* admitted to its columns a letter signed "The Public," which preferred serious charges of fraud and malversation against the magistracy, or governing body of the town of Halifax. Its admission may be fairly taken as evidence that its tenor was acceptable to Mr. Howe, though clearly he did not subject it to editorial revision. The article is prolix, unclear in parts, without a terse or vigorous expression in it from end to end. A charge against those whose duty it is to lay taxes, of imposing them unjustly and unequally is too common to be considered as distinctly libellous. The most specific allegations against the majestracy as a whole is "that during the lapse of the last thirty years, the magistracy and police, have, by one stratagem or other, taken from the pockets of the people, in over exactions and fines, etc., etc., a sum that would exceed in the gross amount thirty thousand pounds." While this wholesale charge is preferred, the writer is obliged to "candidly and willing admit that there are in the ranks of the magistracy individuals justly entitled to the esteem and respect of their fellow townsmen." In one case only does he specifically refer to an individual instance of wrong-doing, putting the accusation in an interrogative form: "Can it not be proved, and is it not notorious, that one of the present active magistrates had contrived for years to filch from one establishment, and that dedicated to the comfort of the poor

and destitute, at least three hundred pounds per annum?" Now this poor housekeeping—or something like that—must have been easily recognisable, and the fact that he did not move at once to clear his reputation rather goes to show that he lay fairly open to attack.

It is to be observed that the letter of "The People" came out during a spell of very hard times, which fact, apart from the nature and rate of the town taxes, may have accounted for the circumstance that "one-half of the most respectable of the middling orders have been this year sent or summoned for the amount of their last year's poor and county rates." The opinion is expressed—economists are always in order—that "fifteen hundred pounds ought to defray all expenses for the county." It is ecouraging to find that the writer unconsious of the epoch-making character of his letter, "saw some home for the people in the martial tread and manly mien" of Sir Colin Campbell.

The magistracy as a body took mortal offence at the insinuations and taunts of "The People." The court was waited on, and redress demanded in the name of insulted justice, or officially the magistrates were justices of the peace. There was something serio-comic in the train of circumstances that followed. The Court referred the indignant magistrates to Attorney-General Archibald, the appointed guardian of law and order, of public and private reputations alike. The Attorney-General found two courses open for adoption. One was to follow the plan of an "ex-officio information,"—we do not undertake to explain the full import of this legal phrase—which would have required Mr. Howe, the publisher of the alleged libel, to justify the charges by the testimony of sworn witnesses and to have everything shut out not bearing directly on their truth or falsehood. The other, a much freer, and for the defendant a preferable method, was that of simple indictment on charge of libel before "The Grand Inquest of the County." If the grand jury, reported "No Bill," the case was ended. Should the verdict of the grand inquest be otherwise, then the simple question of guilty or not guilty, would be decided by a petit jury under Supreme Court supervision. The latter was the form assumed in the prosecution of Mr. Howe for libelling the magistrates of Halifax. He was charged with the crime of libel before the grand jury of the County of Halifax. The grand jury returned a "True Bill." In due season the case came before the Supreme Court. Chief Justice Haliburton sat on the bench. Attor-

ney-General Archibald, not of choice but under the necessary order of things, appeared as the official prosecutor. James F. Gray, a rising barrister, sat beside the Attorney-General to open the case for the Crown. Joseph Howe appeared in the dual capacity of indicted criminal and counsel for the defence.

Mr. Gray's opening address was largely explanatory of the special features of the case. Under an indictment there is no proof of truth or falsehood. The question for the jury to decide is simply, whether or not an injurious act has been committed. Argumentatively he went so far as to say that the generality of the charges was not affected by the acknowledged anonymous exceptions. He also referred to the *Nova Scotian* as a "generally well manager paper which has extended its circulation over neighboring Provinces and States," a fact increasing the culpability of scattering loose and unproved charges.

HOWE'S DEFENSE AND ACQUITTAL.

Mr. Howe's celebrated defence occupied in delivery six hours and a half, and as published in Mr. Justice Chisholm's first volume of his speeches, covers forty-one pages. Had it followed, rather than preceeded, the Attorney-General's closing address for the prosecution, it would have lacked its most effective side-hit, the famous "lubber-hole" allusion.[1]

Mr. Howe preferred strong charges of cowardice against the magistrates, holding them responsible for the adoption of procedure by indictment. The Attorney-General, however, shifted the responsibility to himself most unqualifiedly: "One gentleman named the other course to me, but I said No; I will proceed by the fairer method of indictment. I am proud that the defendant has done me justice in this respect. A copy of the bill of indictment was furnished to him and he has had liberty to defend himself, and in doing so, he has stated a great variety of things which could not be evidence, which are mere hearsay, and which the court would not have per-

[1] "There is a certain part of the ship through which when a seaman crawls, he subjects himself to the derision of the deck, because it is taken as an admission of cowardice and incompeance, and had not these jobbing justices crawled in here through this legal lubber-hole of indictment, I would have sent them out of court in a worse condition than Falstaff's ragged regiment. They would not have dared to march even through Coventry in a body."

mitted counsel to use. I am glad, however, that he has had every facility for making his defence."

The closing address of the Attorney-General apart from the correction of Mr. Howe's view as to why the indictment method of trial had been adopted, contains little that is noticeable. It mildly suggested that Mr. Howe had gone a little too far in his efforts to clear himself by laying emphasis on the obviously good intentions of "The People." No evidence should be sought outside of the article itself. Further—and how can anyone disagree with him?—he urged that the writer, instead of inculpating all the magistrates who had been in office during the previous thirty years, with an indefinite saving clause, should have singled out by name the real offenders, who could then have fought their own battles. But he referred to Mr. Howe's address as "a splendid defence," and evidently anticipated the jury's verdict of acquittal. Chief Justice Haliburton, while strong in his opinion that the letter of "The People" was a libel, inasmuch as inflicting injury on innocent people, however guilty *some* of the incriminated magistrates may have been, considerately accorded the jury the privilege of taking their own view of the matter.[1] In ten minutes the jury brought in a verdict of "Not Guilty."

GENERAL ELECTION OF 1836.

Prior to the dissolution of the Assembly in 1836 a somewhat extensive revision and enlargement of the County and Township system of the Province had the effect of a corresponding increase in the membership of the House. The Districts of Colchester and Pictou were raised to the dignity of Counties, the former in view of its larger township representation returning one member, the latter, in accordance with the pretty general rule, two. A member was also assigned to the township of Pictou. The District of Yarmouth was cut off from Shelburne County, and made an independent County with a single member, together with one from the included township of Argyle.

A new County called Guysboro was created by a division of the

[1] "I wish to make no improper charge against the Chief Justice (Sir Brenton Haliburton). I respect his talents and integrity. I have been tried before him once, and should be happy to be tried before him again. If I were selecting a person to do impartial justice between one man and another the Chief Justice would probably be the man." From Howe's speech on "The Twelve Resolutions."

County of Sydney and given two members. Two new Counties were set off from the County of Cape Breton, Juste-au-Corps (Inverness) and Richmond, each with a single member. Altogether the new legislation provided for an increase of ten in the total County representation, and of two in that for the townships. The only two of our present Counties which at that time awaited organization were Digby and Victoria.

The members returned at the general election of 1836 were as follows:

County of Halifax: Joseph Howe, William Annand.
County of Colchester: Samuel George, William Archibald.
County of Pictou: George Smith, John Holmes.
County of Sydney: Alexander McDougal, John Young.
County of Guysboro: William F. DesBarres, Hugh McDonald.
County of Cape Breton: James B. Uniacke.
County of Richmond: Lawrence Kavanagh.
County of Justé-au-Corps: William Young.
County of Cumberland: Gaius Lewis, Alexander Stewart.
County of Hants: Benjamin Smith, Henry Goudge.
County of Kings: Samuel Chipman, T. A. S. DeWolfe.
County of Annapolis: Fred A. Robicheau, William Holland.
County of Yarmouth: Herbert Huntington.
County of Shelburne: Winthrop Sargent.
County of Queens: Joseph Freeman, Samuel P. Fairbanks.
County of Lunenburg: William Rudolph, Garret Miller.
Township of Halifax: Hugh Bell, Thomas Forrester.
Township of Truro: Alexander L. Archibald.
Township of Onslow: Alexander L. Upham.
Township of Londonderry: Glorid W. McLellan.
Township of Pictou: Henry Hatton.
Township of Sydney: Edmund M. Dodd.
Township of Arichat: L. O'C. Doyle.
Township of Windsor: Lewis M. Wilkins.
Township of Amherst: Robert M. Dickey.
Township of Falmouth: John Elder.
Township of Newport: James W. Allison.
Township of Cornwallis: John Morton.
Township of Horton: Perezy M. Benjamin.

Township of Annapolis: Elnathan Whitman.
Township of Granville: Stephen S. Thorne.
Township of Digby: James B. Holdsworth.
Township of Yarmouth: Rankin Clements.
Township of Argyle: Simon D'Entrement.
Township of Shelburne: Peter Spearwater, Jr.
Township of Barrington: John Sargent.
Township of Liverpool: William B. Taylor.
Township of Lunenburg: John Heckman.

Among the members who now took their seats for the first time were several who were destined to remain connected with the public life of Nova Scotia for extended periods, among others, Joseph Howe, William Annand, John Holmes, William F. DesBarres, and Hugh Bell. Though for personal and political reasons a number of the constituencies had returned new representatives, the more conspicuous figures of the former House were again in their seats,—Samuel G. W. Archibald, Alexander Stewart, John Young, James B. Uniacke, Lawrence O'Connor Doyle, Lewis Morris Wilkins, and Edward Murray Dodd.

When the House met in January, 1837, Mr. Archibald was re-elected to the Speakership without opposition. However, before the organization was completed, Mr. Howe determined to test in a mild way the feeling of the Assembly on what was to him the crucial question of "Equal Rights." He asked the House to resolve "that, representing the whole Province, peopled by various denominations of Christians, this House recognises no religious distinctions and is bound to extend not only equal justice, but equal courtesy to all." For eighty years the rector of St. Paul's, or some other city clergyman connected with the Church of England, had filled the chaplaincy of the Assembly. Mr. Howe's motion, which was adopted, was intended to interrupt this long continued usage and give to Roman Catholics and so-called Dissenters, participation in the privilege of conducting the devotions of the House. Unfortunately the resolution, while affirming a principle left the inconvenient detail of practically applying it unsettled. The problem was how to make the concession of "equal justice" and "equal courtesy" of any practical value. Various suggestions were made and considered. Finally a triple Chaplaincy, operating under a system of rotation, was hit

upon, but in practice did not work satisfactorily. One or more of the divines designated under this arrangement declined the nomination tendered them. Within a year or so the old collects and prayers were restored, to the satisfaction, it would seem, of everybody.

The *Nova Scotian* had given fair notice that the mild methods by which Archibald, and Stewart, and Young, had tried to bring the council to terms must henceforth be considered out of date. The obstructive and selfish branch of the Legislature must be directly grappled with and stripped of its power to hinder progress. On reflection it was decided to start the fight with a skirmish.

One of the most distasteful, if not most injurious of the Council's habits was that of transacting the business of the country in absolute secrecy. The reforming chiefs hit on a most happy expedient in prefacing their main assault with an attack on a somewhat indefensible outpost. Mr. Doyle moved and Mr. Howe seconded, both in elegant speeches, a resolution, calling on the Council to open its doors to the public, and thus abandon a usage, "fraught with much evil" and "contrary to the British Constitution." So far as the House itself was concerned the movement was an eminently strategic one. Though the Council had friends and sympathisers in the Assembly chamber, not one of them was bold enough to say nay to so obvious a proposition. The resolution was forwarded to the Council, whose answer, if not conveyed in the terse expressive phrase, in which those who speak the English language generally convey their sentiments to intermeddlers, was altogether in its spirit. The Council stood on its dignity and on its rights as an independent branch of the Legislature, and would transact its business in its own way, as it had done from the beginning. There was no outward sign of yielding. The leaders of the House attached full value to the Council's scornful rejection of their interference and did not learn for a year that the upper House before its prorogation appointed a committee, to make such alterations in the interior of the chamber as would adapt it for the accommodation of strangers.

DISAGREEMENT OF HOUSES OF PARLIAMENT.

The reform element in the Assembly, having previously given an indication of its ascendancy by passing the "Quadrennial Bill," a piece of legislation by which the term of the Provincial Parliament

was reduced from seven years to four, proceeded to take such action as might seem required on the curt and, apparently, peremptory refusal of the Council to open its doors. Some felt that the House had placed itself in a compromising position. The Council's snub was perhaps not altogether undeserved. Others, like John Young, of Sydney, who sought to pour oil on the waters by conciliatory resolutions, feared a dangerous block of legislation from the disagreement between the two Houses of Parliament. To Joseph Howe, the crisis—if such it could be called—gave the opportunity for which he had been looking. The time was ripe for decisive action. He headed off Mr. Young's attempt at pacification by moving the historical "Twelve Resolutions." Of these so-called resolutions eleven were simply preambles, or prefatory statements of fact, or alleged fact, on which a certain proposed course of action is shown to be necessary. For each "Whereas" would seem to be the proper introductory term rather than "Resolved." The only real resolution is the twelfth, in which something definite and positive is proposed: "Resolved, that as a remedy for these grievances, His Majesty be implored to take such steps, either by granting an elective Legislative Council, or by such other reconstruction of the local government as will insure responsibility to the Commons, and confer upon the people of this Province, what they value above all other possessions, the blessings of the British Constitution." The preambles recite with much fullness and elaboration the facts and conditions on which the appeal to the Crown is justified,—the concentration of membership in heads of departments and residents of Halifax; the baleful effects of this concentration on commerce and education; statistical proof of favoritism towards one particular church in the make-up of the Council; the difficulties thrown in the way of the Assembly in its efforts to get control of the casual and territorial revenue, and to establish a sound basis for the Provincial currency; the presence of the Chief-Justice at the Council Board; "the disposition of some of its members to protect their own interests and emoluments;" the combination of legislative, judicial, and executive powers as one body;—the foregoing may be taken as a very compressed summary of the grounds on which Mr. Howe arraigned the Council before the Imperial bar.

Mr. Howe's speech in explanation and support of his "Resolu-

tions" occupied only an hour and a half. As each one—some of them simply recitals of fact[1]—had subsequently to be moved and voted on separately, he naturally deferred minute analysis and explication with the general debate, during the progress of which sparks flew about in a somewhat lively manner.

The general debate on these famous Resolutions was a long and lively one. Each was separately moved, discussed and voted on, and passed by considerable majorities even on the closest divisions. The "Resolution" proper, which unlike the eleven preambles, dealt not with the grievances, but the remedy, put in the forefront for the consideration of His Majesty as a remedial possibility, the idea of an Elective Council, a suggestion which encountered every opposition from Uniacke, Stewart and Wilkins. The discussion of an abstract principle did not afford a specially favorable field for Mr. Howe's debating powers, or for that admirable play of humor, and side-thrusts of personal banter and repartee, which constituted so marked a feature of his speeches in Parliament as elsewhere. When Stewart and Wilkins drew his attention to the undesirable consequences which they claimed to have followed the wide extension of the principle of popular election in the United States, he dwelt in his reply on the wonderful growth and prosperity of the latter country, without making it perfectly clear whether in his judgment the greatness of New York and Pennsylvania was the result of, or in spite of, the fact that they elected at the polls their state senators and judges.

The Twelve Resolutions having been adopted, a committee was appointed to recast them in the form of an address to the Crown. Then something happened. The clerk of the Council brought over to the Assembly chamber a message, the general purport of which can be gathered from two brief quotations: "His Majesty's Council perceive by the Journals of the House of Assembly, the Council have this day received, that the House has passed several resolutions conveying accusations against His Majesty's Council, and, among others one declaring some of the members of His Majesty's Council have evinced a disposition to protect their own interests and emoluments at the expense of the public" * * * "His Majesty's Council would deeply deplore the evils the country would sustain from

[1] As for instance that the "Catholic Bishop has no seat at the Council Board" while "the Bishop of the Episcopal Church always has been and still is a member."

an interruption of the public business; they trust that the House of Assembly would equally deprecate such an event, and they therefore earnestly hope that the House will face the propriety of rescinding this resolution, as His Majesty's Council feel that if they were to continue to hold communication with the House while that resolution remains unrescinded they would justly forfeit their self respect and confidence of the Assembly."

A deadlock similar, to the one which occurred in 1830, over the "Brandy Question," was warded off by Mr. Howe's action in withdrawing not merely the Resolution containing the imputation so offensive to the Council, but the entire series. An address to the Crown, founded on the rescinded deliverances and embodying their substance, was duly passed. To this address the Council prepared a formal and elaborate answer. Both addresses were duly transmitted to England, to be passed on by the supreme governing power of the realm. So ended the legislative sesson of 1837.

CHAPTER XIV.

APPEALS TO THE CROWN—AN EXECUTIVE AND LEGISLATIVE COUNCIL —LIST OF THE MEMBERS—JAMES W. JOHNSTONE— DURHAM'S REPORT.

The Assembly's Address to the Crown was followed to the colonial office by a critical counter appeal, contesting in a keen, lawyer-like way the House's points. The trio branches of the legislature enacted with intense interest Her Majesty's decision on the issues thus formally submitted to her for consideration.

The conclusions arrived at in Downing Street were communicated to Sir Colin Campbell in successive despatches by Lord Glenelg, the Colonial Secretary. That a state of things existed in connection with the government and public affairs of Nova Scotia which loudly called for reform was frankly admitted. It was decided that hereafter a seat on the bench and a seat at the Council Board must be regarded as incompatible positions. The House's claim that the casual and territorial revenues belonged to the Province, to receive and to appropriate, was fully recognized. Regarding the Assembly's protest against the unfairness of having four-fifths of the population of the Province ruled over by an official bureau, two-thirds of whose members belonged to the religious denomination which composed the remaining one-third, Lord Glenelg wrote to the Lieutenant-Governor that it was "impossible that distinctions so invidious should not be productive of serious discontent." In future "even the semblance of often due favor to any particular church was to be avoided".

So anxious was the Imperial Ministry to remove all reasonable grounds of discontent and causes of friction, that it was prepared to make a crowning concession to what it supposed was the real wish of the Assembly. The address said something about an Elective Council as a remedy for existing evils.

This suggestion the Colonial Secretary could not take seriously. He even doubted if a better Council system than the one already in existence could be devised, provided the Crown was rightly addressed by the Governor in the matter of appointments. Nevertheless, to meet the wishes of the Assembly, and as he supposed of the great ma-

jority of the people of Nova Scotia, he was prepared to yield his own views, and bring about an entire recast of Her Majesty's Council in Nova Scotia. He had indeed already secured Her Majesty's assent to a proposal to demolish the present Council, and rear in its ruins two entirely distinct and independent ones,—a cabinet or ministry, composed of sworn confidential advisers of His Excellency, to be known as the Executive Council, and alone having the right to speak of itself as "Her Majesty's Council"; and a chamber, whose range of duties is sufficiently defined by its name, the Legislative Council. Lord Glenelg is candid enough to inform Sir Colin that his recommendation of this reconstructive concession was not based on a conviction of its real utility. Of all the colonies possessing representative Assemblies, only the Canadas (since 1791) and New Brunswick (since 1832) had tried the experiment of two Councils, that is, of separating executive and legislative founctions. Perhaps much of a lesson, one way or the other, could be learned from the example of New Brunswick: the history of the Canadas during the past year or two showed that even the constitutional organism of the Councils could not save a colony from discontent, disorder and rebellion. Still the secretary had every reason to assume that the Assembly and people of Nova Scotia understood far better than he what form of government was best suited to their circumstances.

LORD GLENELG'S VIEWS.

No one can say that Lord Glenelg did not do his best to make the experiment of distinct Councils successful from the start. Sir Colin Campbell was instructed to transmit lists containing the names of gentlemen deemed specially well qualified for seats in the respective bodies. Great emphasis was laid on the importance of judicious comprehensive selections. Sir Colin took it for granted that any member of the old out-going Council could by right claim a seat in one or other of the new ones, and even Mr. Howe took the view that if no such right existed, there was a reasonable presumption in favor of the claim. The Colonial Secretary most peremptorily brushed aside the suggestion. If the public interests required some of the old councillors to retire absolutely, Her Majesty could see to it that their rank and title would be retained until the end of their days. Let both Councils be filled with competent men, selected not merely on

account of their individual character and ability, but because in their totality they represent, fairly and impartially, the various political, industrial, and religious interests of the Province.

It was arranged that the reorganization should be consummated at the opening of the ensuing session of the Legislature. The news of the contemplated dissolution and reconstruction of the Council was received with lively satisfaction by the party of so-called reform. A fly in the ointment was the possibility of bad appointments. But why fear? In an informal interview with the Governor, Mr. Howe penciled an Executive Council of twelve and a Legislative Council of nineteen—these were the respectively allotted numbers,—so constituted as to provide seats for all the old councillors, and at the same time secure the adequate representation of all interests and all creeds.

The hopes, rather than the fears, of the Conservative minority, centered in the negotiation that went on during the autumn of 1837, between Halifax and Downing Street respecting the manner in which the seats in the new Councils were to be filled. Of the details of those negotiations little is known, except so far as the nature of these can be inferred from the results to which they led.

When the time arrived for opening the Legislature of 1838, thirty-one gentlemen, each armed with a mandamus of appointment to one or other of the newly constituted Councils, were ready for the ceremony of "swearing in". This transaction, the partition of the old Council of twelve which had ruled Nova Scotia with virtually autocratic powers for nearly ninety years, though scarcely noticed in our histories, really marks a most important stage in the constitutional development of Nova Scotia. It laid the basis on which the structure of responsible government, or ministerial responsibility to a popular Assembly, was afterwards erected. This principle if entirely independent of the circumstances whether the Legislature is bicameral or composed of a single chamber, it is as applicable in Ontario and Manitoba as in Quebec and Nova Scotia. But how could the doctrine have been put in force, when, as was the case in Nova Scotia prior to 1838, there was no separate or distinct executive to be turned out of office by vote of the people's representatives?

NAMES OF THE COUNCILLORS.

For some four or five years prior to its final dissolution, without the change of a name, the following gentlemen constituted Her Ma-

jesty's Council: Hon. Brenton Haliburton, president; Hon. and Right Reverend, the Lord Bishop; Hon. Thomas Nicholson Jeffrey; Hon. Hibbert Newton Binney, Hon. Enos Collins, Hon. Simon Bradstreet Robie, Hon. Charles Ramage Prescott, Hon. Samuel Cunard, Hon. Henry Hezekiah Cogswell, Hon. Peter McNab, Hon. James Tobin, and Hon. Joseph Allison.

A few words as to the constitution of the new Councils. By one of Lord Glenelg's despatches, Chief Justice Halliburton had been declared ineligible for a seat in the Council and his retirement would have been necessary even had no reorganization taken place. For some reason, Messrs. Prescott and Binney were also retired, that is were not assigned places in either of the new bodies. Messrs. Robie, Tobin, and Allison were gazetted as both executive and legislative councillors; Messrs. Jeffrey, Cunard, Cogswell and Collins, as executive; His Lordship the Bishop, and Mr. McNab, as legislative councillors. The fourteen seats in the Legislative Council still unfilled drew occupants from various quarters. Seven were filled by gentlemen who entered the Legislature now for the first time, James W. Johnstone and Dr. Wm. B. Almon and Norman Fitzgerald Uniacke of Halifax, William Rudolf of Lunenburg, William Ousley of Sydney, Cape Breton, R. M. Cutler of Guysbro, Alexander Campbell of Tatamagouche, James Ratchford of Parrisboro, Joseph Fitzrandolph of Digby. Two gentlemen, Alexander Stewart, M. P. P., for Cumberland and Lewis M. Wilkins, M. P. P. for Windsor exchanged seats in the Assembly for seats in the Legislative Council. The following ex-members of the House were called up and completed the membership: William Lawson (Halifax), George Smith (Pictou), James S. Morse (Amherst).

The Executive Council comprised four members of the Legislative Council, Johnstone, Robie, Tobin and Allison; four members of the House of Assembly, James Boyle Unicake, Edmund Murray Dodd, T. A. S. DeWolfe, and Herbert Huntington; and four gentlemen who did not hold seats in either Branch of the Legislature, Jeffrey, Cunard, Cogswell, and Collins.

The really significient name in both Councils of course is that of James W. Johnstone. So far Mr. Johnstone had taken no visible part in the political life and activities of the Province. In all the noisy conflicts between the Assembly and the Council from the "Brandy Disputes" his voice had not been heard. When not ab-

sorbed in the duties of his profession—he had already placed himself at the head of the bar of the Province—he was taking an active part in promoting the interests of the Baptist denomination with which for conscientious reasons he had connected himself. Socially he was connected with the most aristocratic families in Halifax, religiously with the most democratic of our churches.

COUNCIL RESTORED TO ORIGINAL SIZE.

In order to bring the dimensions of the Councils within the limits fixed by Lord Durham's commission, a brief prorogation of the Legislature was found necessary. When the revised lists were announced it was found that the reduction of the Executive from twelve to nine had been effected by the retirement of one of the councillors who had a seat in neither branch of the Legislature, and of two who had seats in the Assembly, Dodd and Huntington. The reduction in the Legislative Council was secured by dropping Messrs. Lawson and Almon of Halifax, Mr. Fitzrandolph of Digby, and Mr. Ratchford of Parrsboro. After the session closed, the Council was restored to its original size, and the four gentlemen, just named received fresh commissions.

When these necessary paring processes had been got through with and the sessional business resumed, Mr. Howe took advantage of a debate on the civil list question to tell the House and the country what he thought of the composition of the new Councils. Prior to the temporary adjournment to straighten out the numerical discrepancy, he had dwelt with pardonable complacency on the marked progress of the good cause of constitutional reform. Among other gratifying advances he particularly referred to "the separation of the Executive and Legislative Councils", which he described as "a very important change", stating that "the second legislative branch is now larger and more popular, while we have four members of the popular branch in the Executive Council." In short, much had been accomlished and the prospect was most encouraging. Even the Executive Council came in for complimentary allusions. "That body is much more popular than when it sat in a double capacity at the other end of the building. Its members mix with the people's representatives; they represent the people themselves; they are in the midst of popular feelings and expressions."

This hopeful view of things did not last long. It was found that dissociation of function did not prevent cooperation of aim and effort. One Council could play into the hands of the other, if one mind was master of them both. Several measures deemed by the Assembly of great importance came to grief amid the reefs and breakers of the Upper House, particularly the civil list bill, which Mr. Huntington, then a member of the Executive, had framed as an amendment to a proposition of his own government. Despite the fair promise of the early part of the session another tussle with Sir Colin was inevitable. The only mode of attack—for the Assembly must take the initiative—is the time honored one of an address to the Crown. Of all the documents drafted or inspired by Mr. Howe during the long-drawn-out struggle for constitutional reform, this particular address is perhaps the weakest. It starts with a belated attempt to show that denominational predominance in high places was almost as much in evidence as ever, referring particularly to the composition of the new Councils. Her Majesty is assured that her "loyal subjects observe with surprise and regret that in the new Executive Council, so lately remodeled, five of the nine gentlemen of whom it is composed are members of the Church of England, and that eight, out of the fifteen"—ten out of the nineteen a few months later—"are also members of that church, His Lordship the Bishop being one". The address proceeds to seriously weaken the force of its statements by admitting the delicate and difficult nature of the task imposed on Sir Colin Campbell in view of the obligation resting on him to consult the feelings and recognise the claims of many members of the former Council. On the general question of the undue absorption of official positions and perquisites by members of the Church of England, many who are not churchmen will question whether the facts justified all the inferences drawn from them. In forming a judgment on that point, such facts as the general condition of society and the diffusion of education at the time in question must be taken into account. As to the Executive Council referred to in the address as objectionable on account of the predominance of churchmen—five out of nine,—it is worth noticing how impartially the four remaining seats were distributed, the Catholics, Presbyterians, Baptists and Methodists, each having one. The denominational census of the Legislative Council showed that it con-

tained ten members of the Church of England, six Presbyterians, one Roman Catholic, one Baptist, and one Quaker.[1]

The Constitution of the Councils was also severely criticised on account of the disregard to Lord Glenelg's instructions to make them fairly representative of "all the great interests of the Province." "More than half of the members still reside in the town of Halifax", while the ratio of lawyers to farmers was six to two.

The main body of the address is taken up with the consideration of financial questions at issue. It concludes by extending to Sir Colin a handsome apologetic olive branch; "In concluding this address, the members of the Assembly are bound to acknowledge the aid which they at all times receive from his excellency the Lieutenant-Governor in the prosecution of all measures intended for the general good. Most of the evils of which they complain have arisen from the causes that existed before his Excellency came to the colony, and it would be expecting too much to require that they should be removed in a single year, under the most impartial administration."

In April, 1838, Mr. Howe found himself in a position to gratify a long cherished wish to visit Europe, particularly England, the land of his forefathers. There is nothing to show that he took the risk of spoiling his holiday by carrying over the ocean a vexatious load of Nova Scotia politics. As he had as a traveling companion, Thomas Chandler Haliburton, we may assure ourselves that his trip was an enjoyable one.

LORD DURHAM AS GOVERNOR-GENERAL.

Just a month after he had sailed from Halifax, Lord Durham was sworn in at Quebec as Governor-General of the British American Provinces. He had also been specially appointed "High Commissioner for the adjustment of certain important questions depending in the said Provinces of Lower and Upper Canada, respecting the form and future government of the said Provinces." There is a tendency among Nova Scotians to assume that the struggle for political reform which we have been considering did not extend beyond the limits of their own Province. This is an entirely erroneous assumption. In all the colonies now placed under the supreme headship of Lord Durham, the new wine had for years been threatening to burst the old

[1] The Hon. Josept Fitzrandolph of Digby.

bottles. The prudence, moderation and genuine patriotism of the reform leaders in the Maritime Provinces—conspicuously of Mr. Howe—had kept the agitation for popular rights and increased powers of self-government within safe constitutional channels. In the Canadas, with less distinct ideals before them, and hotter passions within them, the men at the head of the movement, with the aid of Governors and compacts almost as much to blame as themselves, had resorted to the extreme measure of open insurrection.

The object of Lord Durham's mission to Quebec was not to re-establish formal peace—that result stern military measures had already secured—but to make that peace real and abiding by duly considered methods of political reconstruction.

Just before the close of the late session, when the announcement of Lord Durham's appointment had reached Halifax, Mr. Young, member for Inverness, suggested the appointment of a committee to wait on the Governor-General at such time and place as might be found convenient, and also proposed a resolution to that effect. Mr. Young's motion was opposed by Mr. Howe and narrowly escaped defeat. Later, the latter gentleman succeeded in having it rescinded, though himself a member of the committee which had been appointed under its terms.

An unworthy motive for Mr. Howe's action in this matter has been suggested. It is scarcely necessary to consider it when perfectly honorable reasons so readily present themselves. After Lord Durham had taken a general survey of the situation, feeling that primarily he was on a mission of inquiry, he invited for conference with him at Quebec, not only the Governors of the various Provinces, but also representative delegates from their public men and leading citizens. These delegates were chosen by the Provincial Executives. Messrs. Johnstone, Uniacke, Young, and M. B. Almon constituted the delegation from Nova Scotia. In explanation of their summons, Lord Durham wrote to the Colonial Secretary: "These delegates were selected and sent for the purpose of conferring with me on the subject of the general arrangement for the future government of the North American Colonies." From a statement submitted by Mr. Young of Nova Scotia to the Governor-General, we present two extracts, which as expressing the views of one of the leading reformers of the Province are not a little surprising, when compared with corresponding

descriptions of the state of things in Upper and Lower Canada, sent in by the friends of reform in those Provinces.

"Abuses in Nova Scotia have never reached the same irritating or fearful height which we have witnessed in other Provinces. The substantial blessings of an enlightened, and, upon the whole, an impartial and upright administration of law, of perfect freedom of conscience and the unfettered exercise of industry, of the absence of oppression in every form, have been long enjoyed by us, and have doubtless largely contributed in fostering that ardent attachment to the British Crown and institutions, which may be fairly said to be a universal feeling."

"The respectability and private virtues of the gentlemen who sit at the two Council boards are admitted by all; it is their political and personal predelictions that the people complain of; they desire reforming and liberal principles to be more fully represented and advocated there, as they are in the Assembly. Religious dissensions are, happily, unknown among us."

INFLUENCE OF JAMES W. JOHNSTONE.

Mr. Johnstone's appointment to the Councils marks the beginning of a brilliant career in politics and statemanship, the details of which need not be anticipated. It is however, somewhat important and very interesting to take note of his own account of the rationale of that appointment. This he gave in a speech delivered at a public meeting in Halifax held within a year or two of his entrance into the Councils. By way of preface, he strongly disavowed anti-reform principles: "The epithet of High Church and Tory party has been applied to the Councils indiscriminately. It has been unjustly applied. I certainly do not belong to any lord party. I am a dissenter, and ever have entertained political principles and feelings different from those I presumed to be denominated by that term". In a passage too long for quotation he referred to his own personal history as establishing a claim for being ranked among the defenders of popular rights. Overborne by the intervention of the Crown in his contest for the parochial prerogatives of the congregation of St. Paul's, he had entered into religious fellowship with the Baptist Communion, whose churches are organized on a radically democratic basis. No one placed a higher value on the prologues of civil, as well as religious liberty, than he. As to his entrance into the Councils, after explaining that he had no

wish to enter the political quarrel, Mr. Johnstone proceeded to state that "when His Excellency (Sir Colin Campbell) in forming the new Council, required my services I feel it my duty to obey", and that "eventually he saw fit to place me in both Councils". Later, when, as will be soon explained, the original Councils were temporarily dissolved, Mr. Johnstone strongly objected to reappointment, but in vain. Then followed the explanation to which we have been leading up. "His Excellency was pleased to urge me to continue, and required me at least to take time to consider. I did so. Having persevered in my request to be allowed to retire, my resignation was accepted. But on the afternoon before the appointments came to be gazetted, His Excellency informed me that as I was a dissenter connected with a large class of people in the country, he held it proper under the circumstances of the Province to require my continuance in office. I yielded to his commands. I was, therefore, placed in the Council as a law-officer to advise on points of legal difficulty, and was retained there under the circumstances referred to as a dissenter". Though practically anticipating future events, Mr. Howe's comment on the foregoing explanation can well enough be introduced at this point:

"Mr. Johnstone says he did not seek a seat in the Councils—that it was forced upon him. I can well believe it, but wish I could believe that, in accepting and holding a seat in the Councils, in defending the principles on which they were formed, and the conduct of Sir Colin Campbell in departures from his instructions, he has not left some of those who highly respect him, and would gladly see him take the independent position which he might occupy, to search in vain for motives sufficiently strong to induce a public man to sacrifice so much even from the sense of obligation which the tenure of a Crown office might seem to impose. Had he said to Sir Colin Campbell, 'as a Crown officer, I cannot lend myself to any glaring and systematic violation of the instructions of the Crown. As a dissenter, I cannot consent to the getting and unnecessary preference which you contemplate giving to one-fifth of the population over the four-fifths, who are entitled to the same consideration and the same honors: and as a man who thinks with the House of Assembly upon a number of important questions, and who differs with the high Tory party on many more, I protest against the formation of an administration, in which the majority in the former are to be shut out from any influence in the Government, and the same overwhelming preponderance is to

be secured to the latter which the House and Her Majesty's Ministers have already alike deprecated and condemned'."

HOWE'S ATTACK ON JOHNSTONE.

The force of Mr. Howe's vigorous attack on Mr. Johnstone's explanation was perhaps somewhat weakened by the facts that the preponderance of churchmen over dissenters in the new Councils combined was proportionately much less than that which existed in the old single Council, that seats had been offered in the new bodies to such dissenters as Attorney-General Archibald and Mr. Howe himself, and that Mr. Johnstone had been taken in with the protest of mutual leadership.

As to the composition of the new bodies little need be said. The Legislative Council was by no means a weak body. There was Mr. Johnstone himself, new to parliamentary life, it was true, but recognized at once as a commanding figure, and whose forensic training went far to make up for lack of legislative experience; Norman Fitzgerald Uniacke, who if not the most brilliant of the Uniacke brothers, had creditably filled a judgeship in Lower Canada, experienced ex-assemblymen like Lawson, Smith, Stewart, Wilkins, and Morse, and to say nothing of former councillors who held over, a group of reputable and solid representatives of the country districts.

Of the twelve members of Sir Colin Campbell's Council, as originally constituted, as has already been explained, four held seats in neither branch of the Legislature, while four were members of the Legislative Council. It is, however, to the stand taken in the Assembly by the four Executive Councillors who occupied seats in that body that we naturally turn, when desirous of ascertaining how advanced a point the constitutional development of Nova Scotia had reached.

The Session of 1838, the one at whose opening the experiment of separate Councils was inaugurated, had not got on very far with its business, when the supposed leader of the Government in the Assembly, Hon. James Boyle Uniacke explained on a certain occasion, that though a member of the Executive Council, he did not consider that he sat in the House in any ministerial capacity whatever. So said his colleagues, Mr. Dodd, Mr. DeWolfe and Mr. Huntington. They were under obligations to support no particular measure. A curious illustration of this doctrine of irresponsibility was soon given. The Colonial Sec-

retary, Lord Glenelg, had expressed the willingness of the Imperial Government to hand over the usual and territorial revenues to the Province on condition of a satisfactory civil list being provided. The executive tried its hand at constructing such a list and through Mr. Uniacke submitted the necessary resolutions for the consideration of the House. Mr. Huntington, one of Uniacke's colleagues in the Executive, strongly criticised the proposed resolutions, and proceeded to move a counter series, which the House passed as a substitute for the one sent down by the Executive. It was clear that though Nova Scotia had been put on an equality with the Canadas and New Brunswick in the matter of two Councils, the great boon of responsible government was still unattained.

While the surprise and confusion incident to the failure on Mr. Huntington's part to treat respectfully the behests of the executive of which he was himself a member were at their height, the entire legislative machinery suddenly ceased to move. It was found that the two Councils had been illegally constituted, or more exactly that the commission under which they were organized had been superseded by a later and more authoritative one. Lord Durham, appointed Governor-General of British North America, brought with him a commission, not in numerical harmony with the instructions under which Sir Colin Campbell had acted in making his appointments.

A STORMY SESSION.

The legislative session of 1839 opened on January 14th. Naturally the precise text of the Colonial Secretary's despatches, whose general tenor was understood to be somewhat discouraging, was awaited with considerable anxiety by the party of reform. Laid on the table, these documents confirmed the worse apprehensions. Practically nothing had been gained. The address might as well have been left unwritten. No change in the composition of the Council was authorized or advised. It was idle to keep standing an offer to hand over the casual and territorial revenues to the Province, so long as the Council and Assembly could not agree on an acceptable civil list. So the colonial office had decided. Instead of the judges' fees having been abolished, they had been simply commuted. A number of important provincial statutes had been commuted. This budget of grievances provoked deep indignation and animated discussion. Sorrow was the feeling excited

in one honorable gentleman's breast, while the predominant one with Mr. Howe was mortification at finding the Assembly's influence in Downing Street so utterly inappreciable. The conclusion was soon reached that mere written addresses would no longer answer the purposes. New Brunswick had sent no less than three delegations to fight out with the colonial office the battle of her rights in connection with the casual and territorial revenue question. Let Nova Scotia follow this good example, and send two of her tried and trustworthy Assemblymen to present her grievances at Imperial headquarters. The suggestion was favorably received, and without delay William Young and Herbert Huntington were selected as the House's representatives on the mission. Claiming that some of its actions, and particularly its own composition, were to be attacked in England, the Legislative Council deported two of its members, Stewart and Wilkins, to appear in its behalf at the colonial office.

Lord Durham's famous report on Canada was presented to the British Parliament on February 11, 1839, and copies of it reached Halifax while the Nova Scotia Legislature was still in session. There is no evidence that the publication of this celebrated and invaluable document produced much excitement in either branch of the Legislature or in political circles generally. Lord Durham's first view was somewhat in favor of a federal union of all of the North American colonies, and the report presented a brief statement of reasons that might seem to favor such a universal federation. This opinion became modified, and the main argument of the report is confined to the advocacy of a legislative union of the two Canadian Provinces. The Legislative Council, while passing a series of resolutions condemnatory of Lord Durham's report as a whole, singled out for a special sentence of disapproal the paragraphs supposed to favor the federal principle. The Council's action in this matter, both in whole or in part, had neither the support nor the sympathy of its most prominent member, Mr. Johnstone. The House of Assembly put itself on record in a contrary sense by a set of resolutions, which leaving the federal idea in its large sense as an open question, laid emphasis on the strong assertion in the report of the principle of responsible government as absolutely fundamental. While the speech, or speeches, delivered by Mr. Howe in connection with the passage of these resolutions are not preserved, the files of the *Nova Scotian* enable us to see how greatly Lord Durham's report strengthened and encouraged him in his battle

for popular rights. "The people of Nova Scotia," so said the *Nova Scotian*, "should study it as the best exposition that has yet been given of the causes of the dissensions in the Canadas, and containing the best suggestion for the avoidance of kindred troubles in all the provinces, that has yet appeared. The remedy for the state of conflict between the people and the local executives, which prevails, or has prevailed in all the colonies, has two prime recommendations, being perfectly simple and eminently British. It is to let the majority and not the minority govern and compel every Governor to select his advisers from those who enjoy the confidence of the people and can command a majority in the popular statesman who recognized the applicability of the doctrine of ministerial responsibility to the popular branch of Parliament, to colonial conditions. He drew very clearly the distinction between representative and responsible government. Nova Scotia had enjoyed the former since 1758, with a bicameral system since 1836. It was however, the prerogative of the Governor, to select his advisers from the members of the Executive Council—the real rulers of the Province so far as it had any except himself in entire independence of the representatives of the people. Lord Durham insisted that no guarantee against the possibility of executive wrong doing could be found except by making the governing body directly responsible to the electorate.

INFLUENCE OF DURHAM'S REPORT.

On the whole, however, it must be admitted that the excitement created in Nova Scotia by the re-appearance of Lord Durham's report was not very marked. Highly disapproved of by all interested in maintaining the existing system, it was disapproved of as asserting a theoretical principle, rather than as creating a sense of immediate danger. Many of Mr. Howe's supporters took pretty much the same view, that the suggestions were somewhat chimerical, and at best incapable of early realization. The whole report would likely share the fate of poor Durham's unfortunate ordinances. As far as English opinion was concerned the doctrines of the report were "strangely advanced," while the author, himself, caluminiated, deserted, and disgraced, was being hounded to a premature death. One party saw in the situation developed in England but little ground for hope; the other perhaps still less reason for alarm.

As the situation cleared, the prospects of an early introduction of responsible government into the colonial system seemed more remote than ever. Lord John Russell had succeeded to the Colonial Secretaryship, and to the application of the principle in question to the colonies, Lord John was a most pronounced objector.

Only a year before, speaking as the Commons leader of the Melbourne Ministry, he had declared "that if the executive were to be named by the popular Assembly of a colony, he could not conceive what was to become of the orders of the Imperial Government and the Colonial Governor", language pretty nearly as strong as that of the Duke of Wellington, who held that "local responsible government (in a colony) and the sovereignty of Great Britain were completely incompatible". While alone among his ministerial colleagues upholding Durham's "ordinances," he subjected his reasoning in favor of responsible government to a keen dissection with the view of showing its inapplicability to colonial conditions.

In June, 1839, he was still strong in his opposition to responsible government in the colonies. This he made perfectly clear in the Constitution which in pursuance of his duty as Colonial Secretary, he drafted for the non-united Canadas. Many of Lord Durham's suggestions were worked in, but no sign appeared of the subjection of the executive to a vote of the Assembly. In speaking on the resolutions on which his constructive measure was based, he thus defined his views: "I know no reason why the Legislative Assembly, whether of each separately, or of both Provinces united, should not be listened to with deference, but I am not prepared to lay down as a principle—a new principle—for the future government of the colonies, that we ought to subject the executive there to the same restrictions as prevail in this country."

LORD RUSSELL AND THE DURHAM POLICY.

That Lord John Russell failed to embody in the new Candaian Constitution the "Responsible Government" features of Lord Durham's report was of course a sore disappointment and grief to Mr. Howe and his friends. Had the blow come from other hands it would not have been felt so much. In the estimation of the reformers of Nova Scotia, no living British statesman stood on the same plane with Lord John. He could not be compared with Peel in the arts of

parliamentary management and debate, with Stanley in fiery, impetuous eloquence, with Macaulay in magnificent exuberance of rhetoric, or with Palmaston in a combination of diplomatic dash and adroitness. What endeared him to the reformers of Nova Scotia was that he was a genuine reformer himself. His personal sympathy with their efforts to rid Nova Scotia of an irresponsible Council and an autocratic Governor, was taken for granted. With equal confidence it was assumed, that if opportunity offered, official countenance and succor would not be withheld. How could they anticipate otherwise regarding a man who had linked himself so prominently with the cause of popular enfranchisement at home, who from 1830 to 1832 had led the reforming forces in the Commons in their historic battle with entrenched privilege, and invested the masses of the common people with the power of upsetting cabinets and reversing imperial policies. What actually happened was a great surprise and a great shock.

When Lord John Russell's speech in explanation and vindication of his reversal of the Durham policy of executive accountability to the Assembly, reached Halifax, and its contents had been duly pondered, Mr. Howe felt that the interests of responsible government in all the Provinces, required that the Colonial Secretary's errors and fallacies should be corrected and exposed.

Had Joseph Howe left no literary remains except "the Four Letters to Lord John Russell", his claim to be considered a brilliant and forcible writer could not be disputed. Of their effect on the mind of the nobleman to whom they were addressed we have no means of knowing to a certainty. There is no record, so far as can be ascertained, even of their acknowledgment. They cover a wide range of fact bearing on the political history of Nova Scotia, that is of fact as viewed and interpreted by the writer himself, all furnished to prove the wisdom of Lord Durham's recommendations to subject the executive to the control of the popular branch of the Legislature.

It must be said that Lord John Russell's speech did not seem to make necessary so elaborate, not to say prolix, a discussion as that in which Mr. Howe engages and which covers forty pages of one of the standard volumes of his speeches. Lord John Russell made but a single point. A Colonial Governor, he contended, does not occupy a position analogous to that of the Sovereign at Westminster. He is an underling himself, receiving instructions from the Crown

through the Secretary of State. The Assembly, if invested with the power asked for, might seriously interfere with the prerogative rights of the Crown, and throw the whole system of colonial administration into confusion. It must be admitted by all that the Letters meet this point well and wisely. All subsequent colonial history—British North America colonial history—sustains his answer as sufficient and complete. Though spread over many pages, its point and pitch are to the effect that no control over the Governor by the Assembly is asked for, so far as his strictly Imperial relations are concerned. What is demanded and insisted on is that his Executive shall conduct the proper business of the country according to the will of the people as expressed by the men chosen to represent them in the elective branch of the Legislature. The Letters are written in the frankest of styles. Badinage, such as that which Howe habitually employed in his verbal tilts with Johnstone, is not altogether lacking. All this, however, is wiped out by one of his inimitable touches at the close. He anticipates that by what he has written he may incur "the inextinguishable hostility" of every "overpaid and irresponsible official from Fundy to Ottawa," and then proceeds: "The example of your Lordship will however help me to bear these burdens with patience. You have lived and prospered, and done the state good service, and yet thousands of corrupt boroughmongers and irresponsible corporators formerly misrepresented and hated you. Should I live to see the principles for which I contend operating as beneficially over British North America, as those immortal Acts, which provoked your Lordship's enemies, do in the Mother Country, I shall be gratified by the reflection that the patriotic and honorable men non-contending for the principles of the British Constitution, and by whose side as an humble auxiliary I am proud to take my stand, whatever they may have suffered in the struggle did not labor in vain."

PRINCIPLES OF A NEW CONSTITUTION.

The summer and autumn of 1839, passed away, and the legislative session for the ensuing winter met on New Year's day. Meanwhile something on the face of it very impressive had happened—Lord John Russell had delivered the speech in reply to which "the Four Letters" were written in June. In that speech and in the Canadian Constitutional system which it explained and vindicated the

idea of executive responsibility to the Assembly was plainly discountenanced. Had it not been, surely the four Letters would never have been written. In the autumn—under the dates of September 7th and 15th, and October 14th—Lord Sydenham, the Governor-General of Canada received dispatches from Lord John Russell, which writers on Canadian history to this day refer to as conferring a new Constitution on the British North American colonies. The substance of these dispatches was communicated to the Canadian Parliament in a message in which he informs that body "that he had received His Majesty's commands to administer the government of the Provinces in accordance with the well understood wishes and interest of the people and to pay to their feelings, as expressed through their representatives, the deference that is justly due them". Sir John Harvey, the Lieutenant-Governor of New Brunswick, discerned in these dispatches the principles of a new Constitution, and at once issued a manifesto declaring that hereafter all official heads shall understand that their positions are not held on an absolute life tenure, but as liable to super-session at any time. Mr. Howe interpreted these dispatches, which certainly did advise Lord Sydenham to do all he could to induce his executive to meet the wishes of the Assembly, as a positive conveyance of the principle of responsible government. A series of events, originating in the publication of those Russell-Sydenham dispatches, then followed, which gave direction to the political destiny of Nova Scotia.

When the Legislature met the first few weeks of the session were occupied with routine business. Young and Huntington gave an account of their visit to Downing Street. They had accomplished something. A long proposed amalgamation of work in the Custom House had been effected, by which an annual saving of fifteen hundred pounds would be gained by the Province. Some inconveniences in postal arrangements had been remedied. On the main point, the reorganization of the Councils, the delegates had been unable to secure the slightest concession, scarcely, indeed, a respectful hearing. At every meeting they had been confronted with the Legislative Council's delegates, Stewart and Wilkins, who argued long and learnedly against every point they urged. One sequel of the visits abroad was a wrangle over the expenses, the Assembly refusing to acknowledge the claims of the two councillors. Eventually the Co-

lonial Secretary paid the costs of both delegations out of the casual and territorial revenue, which was still under Imperial control.

Then the serious business of the session began. The four Letters to Lord John Russell assumed that Lord John had committed himself to an unqualified abandonment of the Earl of Durham's suggestions in favor of responsible government for the Canadas. His attitude and course during the ensuing session of Parliament were determined by the impression that within a few months the noble Lord had changed his mind, and had really gone so far as to transmit to the Governor-General at Quebec the outlines of a new Constitution, embodying the principles of responsible government and including the other British North American colonies within its scope. A brief outline of the legislative proceedings which followed routine introductory matters is now in order. They lead up to exciting events.

The first step on Mr. Howe's part was to introduce, what is now called "a Want of Confidence" motion. The House was asked to assure His Excellency that "The Executive Council as at present constituted does not enjoy the Confidence of the Executive". It is not necessary to reproduce the particulars of the animated debate which followed the introduction of this crucial proposition. Mr. Howe's opening speech, of the characteristically historic argumentative type, solemn in tone, and with a marked abstention from personal side-thrusts, swept all before it. The claim, which the Council's friends do not seem to have dealt with as effectively as they might have done, that popular principles of colonial administration were now recognized by the official head of the colonial department, produced a decided impression. The "Want of Confidence" vote passed, thirty to twelve.

In his reply to this expression of the Assembly's opinion of his Executive, Sir Colin Campbell referred the House, which waited on him in a body, to the Imperial despatch, then lying on the table, which covered the whole ground of its complaints, and declined to recognize them as voted. He had no reason to believe that any change had taken place in the sentiments of Her Majesty's government on any of these points. Until instructed otherwise, he should assume that there had not. An intimation was added, that whatever

the House might think of his Council, that body enjoyed his full confidence.

UNIACKE'S RESIGNATION.

When the House returned to its own chamber, an explanation was offered of an event which had attracted some attention when the vote was being taken on the "Want of Confidence" resolutions. Hon. James Boyle Uniacke, the most prominent member of the Executive in the Assembly, a gentleman of brilliant parts, had absented himself from the division. He now rose to explain that he could no longer be considered a supporter of the government of which he had been a member. His resignation had been tendered and accepted.

The next step in the House, now that Sir Colin had declined to dismiss his advisers, was to propose that an humble address be presented to His Excellency, praying him to reconsider the matter, and especially in such reconsideration to give due weight to the views expressed by the Governor-General and the Lieutenant-Governor of New Brunswick on the recent despatch of Lord John Russell. The "humble address" was passed by a vote of thirty to ten only to receive the following reply: "In exercising the solemn trust committed to me by my Sovereign, I feel it my duty not to establish a principle involving consequences of deep moment, on which any uncertainty rests, until Her Majesty's Ministers shall have been consulted, and the judgment of the Queen ascertained. It is therefore my intention immediately to bring to the notice of Her Majesty's Government, the addresses and resolutions you have lately passed on the subject".

THE RECALL OF GOVERNOR CAMPBELL.

The matter was then allowed to simmer for a few weeks while necessary legislation received attention. Towards the end of the session the final legislative blow against Sir Colin was delivered. The House was asked by Mr. Howe to present "an humble Address to the Queen's most excellent Majesty" praying her "to remove Sir Colin Campbell and send to Nova Scotia a Governor who will not only represent the Crown, but carry out its policy with firmness and good faith." A more tense state of feeling has seldom, if ever, pervaded our Assembly chamber, than when the fate of the brave old soldier was under consideration. The motion for the removal

of Sir Colin was passed by a majority of nine, the vote standing twenty-five to sixteen. General Scotch reformers refused to take part in the degradation of their brave old clansman.

The passage of this motion for Sir Colin's recall of course rendered his prolonged stay in Nova Scotia impossible. Generally, the efforts of the majority in the Assembly to bring the absurd system of colonial government which piecemeal reform had but little mended, to a decisive end, must command the approval of every important student of the history of those times. Whether the occasion necessarily called for so severe and drastic a measure is perhaps open to a doubt. The fate of Sir Colin is quite often—indeed popularly—represented as the just punishment of his self-will and persistent obstinacy. "Mulish" seems to be the favorite modern epithet for describing his temper and his conduct. But where is the justice of hurling at the old soldier this uncomplimentary epithet? He was simply acting on the advice of his cabinet. Those adroitly evasive replies to the Assembly's successive bombardments were drafted by the skillful pen of the keenest *juris consult* in Nova Scotia, who for the next seven years directed the affairs of the Province, as the result of the very events which led to Sir Colin's retirement. It may, or may not, be true that Mr. Howe would have preferred some other method of bringing matters to a final issue, but was forced to yield his judgment to the pressure of less temperate minds. Injustice would be done him if notice were not taken of the facts that he sprang no surprise on Sir Colin; that there is not the slightest shade of personal disrespect in the terms of the motion for recall, or in any of the speeches as leading up to, or connected with it; that they parted good friends; and that his own exposition of the feelings which animated him in the matter is as truthful as it is creditable: "I have been pretty sorely tried in public life, but I declare that the severest trial of my life, that which most agitated my bosom and weighed on my spirits and caused me the keenest pain, that which I would most gladly have put aside and avoided, was the moving and advocating that address. I felt pretty much as a soldier would, who should be called out with a firing party to shoot a man who had been impelled by circumstances and bad advisers into crime. I felt that his Excellency was surrounded by persons who were more to blame than he himself was; and if ever I performed a task it was that".

A change in the governorship was inevitable. But in a strict

technical sense it can hardly be said that Sir Colin was recalled or retired. His period of service was expired. He had conferred on his country services of incalculable value, and was far from rich. England could not afford to disgrace herself by letting a man starve, who had fought so long and so bravely for her honor. Thought had been directed to the question of finding somewhere a colony for him to govern, which would not present so many pervading constitutional problems as Nova Scotia. Ceylon had suggested itself. The Colonial Secretary and the Governor-General knew too much of affairs in Nova Scotia to think of extending Sir Colin's term beyond its normal limit. The Governor-General, Charles Ponlett Thompson (afterwards Lord Sydenham), came down from Quebec, and matters were soon arranged. Mr. Howe and Solicitor-General Johnstone were both ready for a compromise. The former was satisfied, if only the great principle of executive responsibility were conceded, leaving the minor elaborations and applications of it to the evolving power of time; that principle the latter was glad to accept, because he had always favored it in his heart, while he was only too well pleased to be in the cabinet as something more than "legal adviser of the Council" and "a dissenter."

Mr. Howe's conditions of entering into a constitutional government, in addition to the recognition of rudimentary responsible government. were three seats for his party in the cabinet, approximate equalization in the Legislative Council as occasion permitted, and a city charter for the town of Halifax.

The new Governor, the Right Honorable Lucius Bentinck, Viscount Falkland,[1] a Whig nobleman, of no particular record, but commended for appointment by his connection with royalty, arrived in September and at once entered on the duties of his office.

Sir Colin Campbell, after short visits in England and Scotland, repaired to Ceylon, where he filled a six years' term of governorship. No information is available, as to how he performed, or how he enjoyed, the duties of governing the natives of that tropical region. Ceylon, though a Crown colony, had a partial governmental outfit—an Executive Council and a Legislative Council—to assist the Governor in his functions. It must have been a relief to him to find that Ceylon was not troubled with an Assembly.

[1] Lady Falkland was Amelia Fitzclarence, youngest daughter of William IV.

CHAPTER XV.

CHANGE IN THE POLITICAL SITUATION—NEW CONSTITUTION—GENERAL ELECTION, LIST OF THE EXECUTIVE—MR. HOWE'S POLICY.

The change that came over the political situation in Nova Scotia during the year 1840 was rapid and startling enought to justify even at this late date brief investigation and comment. If not quite hopeless, the prospects of Constitutional reform were gloomy enough as the preceding year approached its close, the Assembly's delegates, Messrs. Young and Huntington had returned, not entirely empty handed, for they had secured some trifling financial concessions, but without a scrap of encouragement on the main issue. The Councils were to remain as they were, than which nothing could more effectually block the way of Responsible Government. The outlook was indeed discouraging. It is not too much to say that the swift passage from darkness to light was due to a misconception or mistake.

It will be remembered that the most effective charge preferred against Sir Colin Campbell by Mr. Howe and his associate reformers was that he had deliberately refused to obey Imperial instructions. Lord John Russell, the new Colonial Secretary, had sent him the outlines of a revised Constitution for Nova Scotia, and he had not had the grace even to acknowledge its receipt, much less put it in practical operation. He and his executive kept clinging to the superceded and obsolete instructions of Lords Glenelg and Normanby.

As a matter of fact this charge was wholly unwarrantable. The despatches on which it claimed to be founded, those sent by Lord John Russell in September and October 1839, did not announce any change of constitutional principle whatever in regard to the relation of the Executive and Assembly. They dealt with the tenure of office, setting forth that neither members of the Councils, nor any public officials whatever, should count that they held their positions for life, but that such incumbents were to understand that they might be called on to retire from the public service as often as public expediency might require. Though copies of those despatches were sent to the Lieutenant-Governors of Nova Scotia and New Brunswick, their primary aim was to influence the councillors and officials of

Upper Canada to wheel into line in support of the union resolutions about to come before the Legislature of that Province. In both Councils there were known to be men strongly opposed to the imperial policy of uniting the Canadas.

The despatches appeared in the *Upper Canada Gazette* at an opportune time. The Legislature was opened on December 3, 1839. Two days after the Executive councillors had an opportunity of learning from the *Gazette* just what was expected of them. The scheme of union submitted by Lord Sydenham by message was ratified by the Executive Council, and passed by triumphant majorities in both branches of the Legislature. The effect of Lord John's despatches in securing Responsible Government for Nova Scotia was of the nature of a by-product. Mr. Howe probably took his cue from an expression used by Sir John Harvey, Lieutenant-Governor of New Brunswick, who referred to them as embodying "a new and improved Constitution". Whatever Sir John Harvey may have meant by this, the fact remains that no steps were taken in New Brunswick similar to those adopted by Mr. Howe in Nova Scotia. Sir John Harvey used the despatches as a means of reminding his officials of their liability to dismissal if they did not behave themselves. If, indeed, the despatches embodied the grant of a new Constitution, whose basic principle was Responsible Government, the example of New Brunswick had been rather singularly and illogically invoked on the floors of the Nova Scotia Legislature, seeing that that Province according to the teaching of her best historians, did not come under the operations of that principle, in the sense of Mr. Howe's definition of it, until 1854. Sir Colin Campbell was severely censured for doing nothing, when the despatches came into his hands. Sir John Harvey, it is true, wrote a circular, but he did nothing else. Two years later the New Brunswick Assembly by formal vote declared that the despatches were not to be taken in the sense ascribed to them by Mr. Howe. Solicitor-General Johnstone's challenge to all concerned to show by analysis and by fair methods of interpretation, that their language was explicit enough to justify Sir Colin Campbell in disregarding his previous instructions, was never taken up.

The settlement of 1840 deserves attention from its important bearing on the destiny of the Province and on the history of the remarkable men. Somewhat crudely and imperfectly, yet in a funda-

mental sense decisively, the principle of Responsible Government has been made a part of our constitutional system. There will, however, be some pretty hard blows struck before all its detailed applications have been satisfactorily adjusted.

JOHNSTONE AND HOWE.

James W. Johnstone and Joseph Howe are about to preface twenty years of vigorous antagonism as rival political leaders with three years of colleagueship in a coalition government. The calm that now prevails is all the more impressive, not only as following a somewhat electric session, but especially a later period—just ended —of violent popular agitation, when the battle between Sir Colin and Mr. Howe was fought over again on the platform, through the press, on the wharves and streets, as well as in every store and blacksmith shop, from Cape Sable to Cape North. Lord Sydenham, it need not be said, was the magician, the waving of whose wand had stilled the tumult. But though outwardly there was calm, there were minor internal agitations. In the Reform ranks were some who had fought not because they knew much about or cared much for abstract constitutional principles, but because they admired Howe's pluck and liked a fight themselves. To these the thought of making peace with the common enemy was decidedly unpalatable. Others felt similarly for precisely opposite reasons. They made their politics a matter of principle and did not wish to contaminate them by association with upholders of monopoly and privilege. There was similar growling and grumbling in the Tory camp. On both sides, however, the general disposition was to wait and see what results this strange, unexpected alliance might bring about. The Quadrennial Bill was now law. A general election was necessary. The Assembly was dissolved and the constituencies were appealed to in October, 1840. Below will be found a list of the members returned, but which we preface with similar lists of members of the Executive and Legislature Councils respectively, as these latter bodies were constituted at that date.

EXECUTIVE COUNCIL.

Hon. Simon Bradstreet Robie, Hon. Sir Rupert D. George, Bart; Hon. James William Johnstone, Hon. Thomas Andrew S. DeWolf, M. P. P.; Hon. Edmund M. Dodd, M. P. P.; Hon. Alexander Stew-

art, Hon. S. G. W. Archibald, M. P. P.; Hon. James Boyle Uniacke, M. P. P.; Hon. Joseph Howe, M. P. P., and Hon. James McNab, M. P. P.

LEGISLATIVE COUNCIL.

Hon. Simon Bradstreet Robie, president; Right Reverend and Honorable the Lord Bishop of Nova Scotia, Hon. Peter McNab, Hon. Norman Fitzgerald Uniacke, Hon. James William Johnstone, Hon. William Lawson, Hon. George Smith, Hon. Alexander Stewart, Hon. William Rudolf, Hon. Lewis Morris Wilkins, Jr.; Hon. James Shannon Morse, Hon. Robert Mollison Cutler, Hon. Alexander Campbell, Hon. James Ratchford, Hon. John Leander Starr, Hon. Michael Tobin, Jr.; Hon. James Bond, Hon. Daniel McFarlane, Hon. Peter DeCarteret, and Hon. John Morton.

LIST OF MEMBERS OF HOUSE OF ASSEMBLY, 1841.

County of Halifax—Joseph Howe, William Annand.
County of Colchester—Samuel G. W. Archibald.
County of Pictou—John Holmes, Henry Blackadar.
County of Cumberland—Gaius Lewis, Stephen Fulton.
County of Hants—Benjamin Smith, George McKay.
County of Kings—Thomas A. S. DeWolf, Samuel Chipman.
County of Annapolis—Samuel B. Chipman.
County of Digby—James B. Holdsworth.
County of Yarmouth—Herbert Huntington.
County of Shelburne—Gilbert McKenna.
County of Queens—James R. DeWolf, Samuel P. Fairbanks.
County of Lunenburg—John Creighton, Edward Zwicker.
County of Sydney—Richard Forrestall, William A. Henry.
County of Guysboro—William F. DesBarres, John J. Marshall.
County of Cape Breton—James B. Uniacke.
County of Richmond—James McKeagney.
County of Inverness—William Young, James Turnbull.
Township of Halifax—James McNab, Thomas Forrester.
Township of Truro—Alexander L. Archibald.
Township of Onslow—Alexander M. Upham.
Township of Londonderry—G. W. McLellan.
Township of Pictou—Henry Hatton.
Township of Amherst—Robert McG. Dickey.

Township of Windsor—Henry Goudge.
Township of Newport—Ichabod Dimock.
Township of Falmouth—Lewis J. Payzant.
Township of Cornwallis—Mayhew Beckwith.
Township of Horton—William Johnson.
Township of Granville—Stephen S. Thorne.
Township of Annapolis—Henry Gates.
Township of Digby—Charles Budd.
Township of Clare—Anselm F. Comeau.
Township of Yarmouth—Reuben Clements.
Township of Argyle—John Rider.
Township of Shelburne—Peter Spearwater, Jr.
Township of Barrington—John A. Homer.
Township of Liverpool—William B. Taylor.
Township of Lunenburg—John Heckman.
Township of Sydney—Edmund M. Dodd.
Township of Arichat—Henry Martell.

As to the composition of the Executive Council, sometimes referred to as "the first Executive under Responsible Government," it will be noticed that the list contains the name of a gentleman, Sir Rupert D. George, Bart, Provincial Secretary of the Province, who did not hold a seat in either Legislative Council or Assembly. Strangely enough this was the first case of the kind since the separation of the Councils. As will be seen the Council comprised six members of the Assembly and three of the Legislative Council. The name of Her Majesty's Attorney-General, Samuel G. W. Archibald, appears for the first time in the list of Executive councillors. It was one of the special vices of the old single Counsel system, that no representative of the people could at the same time be an adviser of the Crown.

The members of the Legislative Council are about equally divided between churchmen and dissenters. The Roman Catholics, Baptists and Methodists have each a single representative. Ten are Episcopalians, seven Presbyterians. Not more than five or six were prior to appointment actively identified with the Liberal or Reform interest.

In the Assembly list the name of longest standing is the honored one of Samuel G. W. Archibald. It will soon disappear as in the

course of a year, Mr. Archibald, who has sat in the House continually since 1806 will succeed Mr. Fairbanks as Master of the Rolls. It does not appear that any other member's occupancy dates farther back than 1830.

There are fifty members in all, two in excess of the preceding Assembly, the addition being for the County of Inverness (one member) as for the Township of Clare.

Though the non-party system would seem to have been established by the introduction of Messrs. Howe, Uniacke, and MacNab into the Executive, and the agreement that perspective vacancies in the Legislative Council should be filled by their nominees, at least until approximate equalization should be arrived at, Mr. Howe himself informs us that he led his party into the electoral battle whose results are above reported, just as though no coalition had been arranged. Mr. Johnstone, on the other hand, took no steps to organize his forces and allowed things to take their course in the constituencies. As there were no party divisions during the life of the Assembly the political affiliations of the new members, who constituted an unusually large fraction of the House, cannot in all cases be determined. If the reported allention—thirty-one to nineteen in favor of the Reformers—be correct, the Reform party was slightly weakened. All of the Executive councillors who were members of the Assembly were elected. When the House convened in annual session, its formal organization was delayed for a day or two until certain questions which had been agitated were considered and settled. The conclusion was reached that a seat in the Executive, coupled with an office under the Crown, barred the way to the Speakership. Under this decision, the ex-Speaker, Hon. S. G. W. Archibald, became ineligible, since he was a Crown officer, as well as an Executive councillor. Simple membership in the Executive Council, however, did not operate as a bar. Then a curious sight presented itself. The two gentlemen pitted against one another as candidates for the coveted post were members not only of the same cabinet, but also of the same political party, the Hon. Joseph Howe and the Hon. James Boyle Unicake. Mr. Howe was elected Speaker by a majority of two. An analysis of the voting shows that Mr. Uniacke was supported by the entire phalanx of Conservatives, and was brought almost to an equality with Mr. Howe by three of four votes from the Liberal ranks.

THE POLITICAL SITUATION.

It is not necessary to trace in detail the progress of legislation, attempted or accomplished, during the three sessions of the first Parliament under Responsible Government. The political situation was a curiously involved one. To what extent, at the outset, the nominal leaders of the parties to the coalition enjoyed each other's confidence, it is difficult to say. There was no very deep sympathy between Mr. Johnstone and Mr. Howe as regarded the constitutional principle which the uniting parties had agreed to recognize and pledged themselves to support. On that point Mr. Johnstone must be judged by what he himself said and did, not by what admirers who exalt him as "the first Premier under Responsible Government" may choose to write regarding him. He did, indeed, say that "the principle of responsibility is sound," but qualified the statement by adding: "I cannot lay my hand on any theoretic change. The system under which the coalition was arranged is not that sought last year by the action of the Assembly on the vote of want of confidence. Lord John Russell, by his despatch, refused that form of government; and I cannot but retain my opinion that the Assembly then was pressing for principles that could not be wisely conceded."

Mr. Howe, on the other hand, assured that it was on these very principles the coalition government of which both Mr. Johnstone and himself were members, was founded. Cross-seas threatened to swamp the coalition barque when she had scarcely left the shore. Some of Mr. Johnstone's colleagues in the Legislative Council, one at least of whom was his colleague in the Executive as well, went much farther than his leader—at least was reported as having done so—and spoke disparagingly of the great principle itself. This placed Mr. Howe in a tight corner. He had his own troubles in the House, where a section of the Reform party, not numerically large, but composed of men of sturdy conviction and resolute wills, Huntington of Yarmouth, Goudge of Windsor, and others of like mould, with William Young as a tactful spokesman, had never regarded with favor the political partnership with Tory obstructions. It was to them a veritible bowing in the house of Baal. When the report of the manner in which even members of the Executive were throwing Responsible Government overboard in the Legislative Council reached these out-and-out reformers, they at once demanded explanations. Mr. Howe admitted

the gravity of the situation, but suggested incorrect reports of the offending speeches. E. M. Dodd, member for Sydney Township, was the leader of the small band of Conservatives in the House as well as a member of the Executive, and, as such, Mr. Howe's colleague. He was a man of sound judgment, keen-eyed and resourceful, just the man to relieve difficult situations. Mr. Dodd took up Mr. Howe's suggestion as to a possible inaccuracy in the reports of Legislative Council proceedings, and saw his friends in the Council. The matter was soon satisfactorily arranged. Solicitor General Johnstone and Alexander Stewart and Lewis Morris Wilkins had not in their remarks referred to our present system of Responsible Government, with its balances and limitations, but to wild schemes which had been occasionally proposed and advocated by extremists. This explanation enables Mr. Howe to deal so effectually with the standards that on their forcing a vote on a motion of implied censure, they could only muster a minority of seven. After the storm there was calm for the rest of the session.

HALIFAX INCORPORATED.

It was during this session that Halifax attained civic rank and dignity. Mr. Howe made the introduction and passage of an Act of Incorporation as a government measure a *sine quo non* of his accession to the new administration. This was six years after his celebrated libel suit.

An important change in the judicial system of the Province was affected. The four Inferior Courts of Common Pleas were abolished and the Supreme Court bench somewhat enlarged. It was in connection with this change that Thomas Chandler Haliburton became a Supreme Court judge. For the previous eleven years he had been Chief Justice of the Superior Court at Windsor, in succession to his father.

During the ensuing vacation the death of Charles Rufus Fairbanks left a vacancy in the office of Master of the Rolls, which was at once filled by the appointment of Hon. S. G. W. Archibald. History has done scant justice to the public services of Mr. Fairbanks. A thoroughly independent man, allied to no party, his retirement to the Chancery bench when he had little more than reached middle life, involved a distinct loss to the political and business life of Nova

Scotia. To a man like Samuel G. W. Archibald, legal promotions at the evening of his long and illustrous career meant little or nothing. It was, however, a matter of gratification to Nova Scotians of all parties, to see a tardy and inadequate appreciation accorded to one whose character and talents would seem to have predestined him to a yet higher position. On Mr. Archibald's elevation to Chancery, William Young took his place at the Council board. Mr. Johnstone became Attorney-General, and Mr. Dodd in succession to Mr. Johnstone, Solicitor General.

The session of 1842 was not distinguished by legislation of great importance. In the course of the following summer, a vacancy having occurred in the collectorship of colonial revenue, the post was offered to Mr. Howe, and accepted by him. When the third and last session of the Coalition government's term opened in 1843, the new collector resigned the Speakership, a position which for the previous sessions he had filled with universal acceptance. There was then no Independence of Parliament Act which made it impossible or suggested it as improper for him as a salaried civil officer to occupy a seat in the House. On Mr. Howe's retirement from the Speakership he was succeeded by Mr. Young, who resigned his seat in the Executive in order to accept it. The Qualification Bill, the most formally important government measure of the coalition period, was passed at this session. It strikes one now as surprising that the principle of this bill should ever have been questioned. Previously no one could represent a Nova Scotia constituency unless he owned free-hold property within its tenets. The Qualification Bill simply extended the right of such owner to sit for any county or township, irrespective of the location of his property, provided it was in Nova Scotia. It is hard to see how so reasonable and truistic a proposition could gender strife and excite angry passions. Nevertheless fierece controversy arose over it. One member of the government resigned his seat because he could not give it his conscientious support. It required all Mr. Howe's wit and eloquence to save the bill from stranding and the Coalition government from defeat.

QUESTION OF A PROVINCIAL COLLEGE.

After the Qualification Bill had been disposed of, Mr. Annand, Howe's colleague in the representation of Halifax County, intro-

duced a series of resolutions, proposing to commit the House to the principle of a single provincial college or university "free from sectarian control, open to all denominations, maintained by a common fund, and rallying round it the affections of the people." The resolutions severely arraigned the existing system of small colleges, as an inefficient and wasteful one. But though expounded and advocated by Mr. Howe in one of his brightest and most trenchant speeches, the resolutions came far short of receiving unanimous support. They were carried, but only by a majority of five, in a House more than two-fifths of whose members were on the same side as their mover and seconder. They were not supported by a single recognized Conservative, while Mr. Unicake and several other reformers voted against them.

While there is no doubt as to the sincere belief of Mr. Howe in the educational doctrines which he propounded—it must be admitted that he made out an exceedingly strong case in their behalf—it is equally plain that he did not anticipate any early legislation in the direction in which they pointed. They had an object to serve outside of the strictly educational sphere.

Some few months before the debate on Annand's resolutions there had been at least a slight rupture in the personal relations of Howe and Johnstone. The latter had openly interfered in a business dispute between Mr. Howe and the editors of a religious weekly called the *Christian Messenger,* published by him for the Baptist Association of Nova Scotia, an interposition which was keenly resented. But there was a stronger force at work tending to draw them asunder, though it must be admitted that their personal relations had never been particularly intimate and friendly. Their stars revolved in widely separated orbits.

Mr. Johnstone was a keen observer. He did not—and could not—fail to take note of the fact that the eminent services which he had rendered the Baptist denomination as a Christian brother, and Christian leader in all the church's enterprises, had resulted in a large accession of strength to him as a statesman and politician. What Mr. Howe saw and felt was the precise reversal of this. Mr. Johnstone's gains were his losses. Until recently the Baptist body had been the most cohesive and reliable battalion in the whole army of reform. Located chiefly in the New England settlements, it inherited democratic traditions, while its ecclesiastical organisation still further

disinclined it to the rule of the few. There had been but slight desertions at the general election of 1840, for Mr. Johnstone's influence was then but beginning to make itself felt. Later signs were ominous. The *Christian Messenger* was practically as hostile as the regular Tory organ. Tried and true Baptist supporters, like S. B. Chipman of Annapolis and Mr. Benjamin, of Horton, assured him that the tide was running too strong for them in their constituencies, while Mr. Howe himself, in his speech on the Qualification Bill, expressed a fear that even Mr. Huntington might go under in the strong Baptist township of Yarmouth.[1] The Annand resolutions, the undertone of which, as the debates show, was hostility to Acadia College, were simply intended as a means to enable Mr. Howe to repair from other quarters his anticipated losses in the Baptist preserves.

At just how early a date Mr. Johnstone decided to prematurely dissolve the Assembly cannot be positively asserted. As a possible course the idea early suggested itself. At the general Baptist convention held in Yarmouth in June, he himself sounded the key-note of the campaign, whenever it should come on. Counting—and pretty correctly—on a general indifference among other denominations in the country districts to Mr. Howe's project of a single college in Halifax, he decided to appeal to his own co-religionists on an issue special to themselves, with the hope that their response would turn the provincial scale in his favor. By the narrowest of all margins his forecast was made good.

AN EDUCATIONAL CAMPAIGN.

The summer of 1843 was one of unprecedented educational furor. Mr. Howe inaugurated a campaign in favor of one central college by a remarkably able speech in Mason Hall. The Rev. Dr. Crawley, a learned and able man, whose rejection as a professor in the resusciated Dalhousie had suggested to the Baptists the idea of having a college of their own, was the chief spokesman and writer in behalf of Acadia. The champions met in joint debate in Onslow, and even in that Presbyterian stronghold, Dr. Crawley's friends claimed a victory when the audience was polled at the conclusion of the encounter. Mr. Howe never threw his jibes and *bon mots* around in livelier style; Dr. Crawley made his chief appeal to moral and religious considera-

[1] The fear proved groundless. Mr. Huntington was returned by handsome majorities in both 1843 and 1847.

tions. The latter, however, found no less than sixteen reasons why a state college was objectionable, the last and chief of which was "The extreme danger to religion on the plan projected by Mr. Howe of one college in Halifax without any religious character, and which would be liable to come under the influence of infidenity." Mr. Howe retorted to this that it would be better for Baptist youth to intermix with boys of other creeds on the Grand Parade than to be "sucking sour sectarianism on a hill in Horton." He also sneered at the readiness of the Baptist people to contribute, when ready cash was not at hand, material gifts for the building and sustentation of their college. But nothing could be handsomer than the manner in which years afterwards, when he had become Provincial Secretary and leader of the government, Mr. Howe apologised for that sneer, and expressed profound admiration for people who placed such value on their educational ideals as to be willing to make personal sacrifices for their realisation.

Late in the autumn of 1843 the Assembly was dissolved, and the elections were called on. Mr. Johnstone resigned his seat in the Legislative Council and announced himself a candidate for the representation of the County of Annapolis in the new Assembly. In Annapolis he had influential family connections, and a brother had for some years represented it in the assembly. Of late it had steadily returned reform representatives.

As the elections approached, the ridiculous situation of 1840 was reproduced. Johnstone and Howe were members of the same cabinet, yet in almost every constituency in the Province, rival candidates were swearing by one or the other of these gentlemen, as though instead of being colleagues they were leaders of hostile parties. Apart from the college question, no distinct issue was before the people and apart from the constituencies in which the Baptist interest was of reasonable strength, that question was not a recognisable fact or in determining the result. The point to be determined by the election is not, "Is the government sustained or defeated?" but "which of the two leaders of the government has the larger number of personal followers?"

The following is a list of the members returned at the general election of 1843:

HOUSE OF ASSEMBLY.

(1843-4.)

County of Halifax—Joseph Howe and L. O'C. Doyle.
County of Colchester—John Ross.
County of Pictou—John Holmes and George R. Young.
County of Cumberland—Stephen Fulton and R. McG. Dickey.
County of Hants—Bejanmin Smith and L. M. Wilkins, Jr.
County of Kings—T. A. S. DeWolf and John C. Hall.
County of Annapolis—Hon. James W. Johnstone, Attorney-General M. E. C.
County of Digby—Francis Bourneuf.
County of Yarmouth—Herbert Huntington.
County of Shelburne—Obadiah Wilson.
County of Queens—S. P. Fairbanks and S. P. Freeman.
County of Lunenburg—John Creighton and Charles B. Owen.
County of Sydney—George Brennan and Patrick Power.
County of Guysborough—W. F. DesBarres and J. F. E. Marshall.
County of Cape Breton—James B. Uniacke.
County of Richmond—James Turnbull.
County of Inverness—William Young and James McKeagney.
Township of Halifax—James McNab and Andrew M. Uniacke.
Township of Truro—William Flemming.
Township of Onslow—John Crowe.
Township of Londonderry—G. W. McLellan.
Township of Pictou—Henry Blackadar.
Township of Amherst—Thomas Logan.
Township of Windsor—James D. Fraser.
Township of Newport—Ichabod Dimock.
Township of Falmouth—Elkanah Young.
Township of Cornwallis—Mayhew Beckwith.
Township of Horton—Perez M. Benjamin.
Township of Granville—Stephen S. Thorne.
Township of Annapolis—Alfred Whitman.
Township of Digby—Charles Budd.
Township of Clare—Anselm F. Comeau.
Township of Yarmouth—Reuben Clements.

Township of Argyle—John Ryder.
Township of Shelburne—Peter Spearwater.
Township of Barrington—Paul Crowell.
Township of Liverpool—William B. Taylor.
Township of Lunenburg—John Heckman.
Township of Sydney, C. B.—Hon. Edmund M. Dodd, Sol. Gen. M. E. C.
Township of Arichat, C. B.—Henry Martell.

The foregoing returns were carefully scrutinized by both Mr. Johnstone and Mr. Howe. Each claimed a victory, but each anticipated the first division in the Assembly with some degree of anxiety, so tremblingly did the balance seem to hang. However close the results, one thing was made clear. The cry against sectarian colleges had not worked to Mr. Howe's satisfaction. In five or six of the securest Reform seats, his supporters had been unhorsed by the "peripatetic" professors. Mr. Johnstone's triumphant election in Annapolis and his prospective advent in the Assembly encouraged his supporters to believe that assured victory was within his reach.

HOWE WATCHES ENEMIES.

If Mr. Howe's policy at this juncture was to wait for his enemies to make a mistake, surely such a policy was never crowned with more complete success. In the interim between the elections and the meeting of the Legislature, the Lieutenant-Governor, without consulting the reform members of the Executive, appointed Mr. Johnstone's brother-in-law, Matthew B. Almon, to seats in both Councils. Messrs. Howe, Uniacke, and McNab at once tendered their resignations as Executive councillors. When asked to explain their resignations, these gentlemen referred to Mr. Almon's appointment as a violation of a formal agreement between the parties to the Coalition. Their own party had supplied the government with its chief support in the Assembly, but had to content itself with but one-third of the seats at the Council board. The appointment of Mr. Almon increased the adverse balance and was in direct contraversion of the understanding that as vacancies occurred the Liberal representation in the Executive should be increased. Lord Falkland volunteered a justification of the appointment. Mr. Almond had somewhere expressed himself as favorable to a continuance of the non-party system of

government supposed to be in force in Nova Scotia. It was the Governor's aim in putting him into the Councils to stamp that principle with his own approval, and at the same time express his confidence in Mr. Johnstone. The first reason seems far-fetched and absurd; the second does not harmonize very well with the first, for Mr. Johnstone and Mr. Howe were both members of Lord Falkland's cabinet, partners in a non-partisan enterprise. Nova Scotians are not sufficiently interested in His Lordship's reputation to search for the real motives of his action. The case of Mr. Johnstone, however, stands in a very different light. Agreeable as the particular expression of the Governor's confidence may have been, it is marvelous that so astute a man did not foresee the fatal consequences which it assuredly involved. Mr. Almon, a wealthy and respectable Halifax merchant, did not bring to either Mr. Johnstone or his party a single atom of strength. His appointment made Mr. Howe the head of a united party, and gave that party a most effective rallying cry. To understand the situation fully, it is to be borne in mind that this was the first sign of a break between Lord Falkland and the three retiring councillors. Mr. Howe closed his explanatory letter to the Governor thus: "In retiring from the Council, I should not be doing justice, either to your Excellency, or to my own feelings, if I did not express, warmly and sincerely, the sense I entertain of the courtesy and confidence extended to me by your Excellency, while I have held the high station which I now beg leave respectfully to resign."

On other occasions, both before and after his resignation, he gave Lord Falkland full credit for playing the part of a constitutional governor during the years he had sat at his Council board, and particularly for the interest he had taken in securing for the party to which Mr. Howe belonged, its fair share of official recognition. It should be stated that in addition to retiring from the Council, Mr. Howe had resigned his office of collector of colonial revenue.

The situation when the Assembly met was that in the House there were but two parties, the break in the reform liberal ranks having completely disappeared as the result of the resignations of Howe, Uniacke and McNab. The Executive Council was now composed entirely of Conservatives. Mr. Young was elected, or rather re-elected, Speaker and the House at once proceeded, not to business, but to fierce and acrimonious debate. Mr. Johnstone, by consenting

to the elevation of his brother-in-law, had thrown away his chance of becoming the moulder of Nova Scotia's political system. It is true that he remained in office during the full parliamentary term of four years but was unable by reason of his small majority and the vigorous resistance of an inflamed opposition, to pass a single measure of a political character. Considerable private legislation of importance was passed from year to year, but through the whole quadrennium, the "Simultaneous Polling" Bill, a thoroughly non-contentious statute, was the only public act of importance to its credit.

CHAPTER XVI.

PARLIAMENTARY HISTORY, 1844 TO 1847—LORD FALKLAND'S OPPOSITION—TROUBLE BETWEEN FALKLAND AND HOWE—DEATH OF S. G. W. ARCHIBALD—ELECTION OF 1847.

The parliamentary history of the Assembly which sat from 1844 to 1847 can be compressed into a few paragraphs. Interminable as were the speeches, and exciting beyond all precedent the discussions, verbal duels, and accompanying incident, all power of active constructive legislation seemed to have been smitten with paralysis. During the first three sessions of the period Lord Falkland was Lieutenant-Governor of the Province. Admittedly he was called on to face a difficult situation. In the opening speech of the first session, he expressed, or was made by his advisers to express, an opinion decidedly hostile to party government, and inferentially censuring the councillors who by their resignations had at least temporarily suspended the coalition or non-partisan arrangement of 1840. The opposition instead of directly challenging the Governor's views, proposed to mend the paragraph of the address in question, by declining to discuss the abstract question of governmental methods and calling on the Executive to fill up its ranks and proceed with the business of the country. As the fate of the government depended on the vote about to be taken at its close, the discussion, which lasted for a fortnight, excited intense interest both within and without the House. Upon the general question, the government was somewhat at a disadvantage. Neither British nor colonial history has shown that a non-partisan cabinet harmonises in any special sense with the doctrine of ministerial responsibility. The debate chiefly had regard to particular issues of fact and covered a wide range, though the college question which the year before had filled the air with its electricity, was but seldom and remotely touched upon. The battle was fought by able speakers on both sides. Howe, Unicake, Huntington, Doyle and George R. Young were pitted against Johnstone, Wilkins, Dodd, Fraser and Hall. The opposition amendment to the address was debated by a majority of two, the vote standing, with every member in his place, at twenty-six to twenty-four. If the government had chosen a speak-

er from its own ranks, instead of permitting Young to be re-elected unanimously, the vote would have been a tie. Soon after Mr. Benjamin, of Horton, was unseated on an election petition, and a supporter of Mr. Johnstone took his place. Thereafter the administration had a somewhat precarious majority of three or four on general divisions. As to passing particular measures of importance or advancing Responsible Government to further stages, it seemed smitten with hopeless paralysis. Regarding the first division, Mr. Howe is on record as saying that "two or three recreant Liberals and all the 'loose fish' voted with the Government." On the other hand some close and impartial observers of the situation were confident that if Mr. Johnstone had met the House without the handicap of Mr. Almon's appointment, he could have counted on the support of several independents whose votes he lost by that ill-advised step.

In the discussions of the session, it can be fairly claimed for Mr. Howe and his supporters, that they generally avoided involving Lord Falkland in person accountability for measures and transactions to which his name was attached as an official. The speech was taken to express not his sentiments but those of his advisers. If the vacant seats in the cabinet were not filled up, it was their fault, not his.

FALKLAND AS GOVERNOR.

During the second and third sessions held under Lord Falkland's governorship a marked change—which had indeed begun to disclose itself towards the end of the first session—was noticeable. Instead of the careful abstinence from censure on the Governor's conduct, and, indeed, from mention of his name, Lord Falkland and his doings, his letters and his despatches, particularly, formed the chief subjects of remark, of angry animadversion, and of more or less successful apology and defence. The stages by which Lord Falkland passed from a careful-stepping constitutional administrator into a heated excited politician, cannot be definitely traced. By some curious mental process, induced probably by misrepresentation of fact, he came to consider the resignation of the three councillors as a personal slight, and, strangely enough "an invasion of his prerogative." He wrote abusive letters to these gentlemen and published extracts from them in the newspapers. He did not think it beneath his dignity or an

unfair act, striking below the belt to inform the Colonial Secretary that Howe was a "mendicant" and "a pestilent fellow." Few will deny that, with full credit given for the provocation, Mr. Howe's method of retaliation transcended the bounds of good taste, if not of decency.

While this personal quarrel between Lord Falkland and Mr. Howe was in progress the position of Mr. Johnstone was a peculiarly unenviable one. No one knew better than he that, even under the inchoate form of Responsible Government established in Nova Scotia, the Governor was trespassing on his own domain as First Minister. To no one could the attempt to connect political into personal antagonism have been more indefensible and objectionable. It is inconceivable that he did not attempt by private counsel and remonstrance to put the brakes on Lord Falkland's chariot as it rushed down the declivities of unconstitutional and ungentlemanly procedure. His want of success must have been very mortifying. As Mr. Howe's intemperate counter-attacks gave him opportunity, he naturally carried the war into Africa, not always with notably satisfactory results. The picture of a grave Christian gentleman like Mr. Johnstone, after delivering a stern reprimand to the member for Halifax for his abusive diatribes against the Lieutenant-Governor being obliged to sit and listen, while the said member drawing the objectionable piece of literature from his pocket, proceeded to read it, with humorous comments interspersed between every verse, is serio-comic or pathetic according to the point of view from which it is regarded.

FALKLAND LEAVES NOVA SCOTIA.

It was impossible that Lord Falkland's antics should continue indefinitely to create disorder and block legislation. Realizing seriously that matters were simply going from bad to worse he solicited recall, and in August, 1846, left Nova Scotia for good. In a few months he was transferred to Bombay. Because Lord Falkland proved in the end to be an incapable and unsuccessful Governor, it does not follow that he was by willful inclination a bad and untrustworthy man. He was partly, no doubt, the victim of special circumstances, but suffered chiefly from the operation of a vicious system. Because he had "claims" as the husband of Amelia Fitzclarence, did not guarantee fitness for governing Nova Scotia. He was pitch-

forked into a position for which he had scarcely a qualification except his good looks.

The colonial office, which by the accession to power of Lord John Russell, had been placed under the care of Earl Grey, a statesman of broad progressive views, acted wisely in selecting as Lord Falkland's successor, a gentleman of the ripe colonial experience of Sir John Harvey, who had previously held governorships in Newfoundland and New Brunswick. Sir John on his arrival decided to re-establish if possible the system of non-party government. The attempt, which was favored by neither Johnstone nor Howe, proved a failure. The hands on the dial were not destined to go backward. It must be said, too, that the reversal appears quite out of harmony with Earl Grey's instructions to Sir John, who had been advised that henceforth the Governor, as supreme director was to be effaced in the administration of colonial affairs, when power in a colony was transferred from one party to another, it was to be assumed that this was the action of the people themselves, through the agency of their direct representation. The Governor was to hold himself independent of all parties.

Nothing particular was done at the last session of the Assembly elected in 1843, except the passage of the Simultaneous Polling, Bill. That passed, the House was ready for its final prorogation. The summer was spent by the politicians in preparing for the ensuing elections, the date for which was finally fixed at August 5, 1847.

Some events of importance here escaped notice. In January, 1846, the long and illustrious career of Samuel G. W. Archibald, Master of the Rolls and judge of the Vice-Admiralty Court, had reached its end. To the appreciations of the character and public services of that distinguished man already contained in this volume, it is not necessary to add a formal biography. Solicitor-General, Attorney-General, Chief Justice for Prince Edward Island, and head of the Chancery and Admiralty Courts of Nova Scotia, he had in these professional posts proved himself a legal luminary of the first magnitude. A member of the Assembly for thirty-five years and its speaker for fifteen, he was justly regarded as the masterly and incorruptible champion of popular rights. Neither in Europe nor America had Joseph Howe come in contact with a statesman and publicist with whom in all the elements of real greatness Samuel G. W. Archibald might not be favorably compared.

STEWART SUCCEEDS ARCHIBALD.

The offices vacated by Mr. Archibald's death were filled by the appointment of the Hon. Alexander Stewart. Professionally and in every respect Mr. Stewart was well qualified to follow a line of illustrious predecessors, Robie, Fairbanks, and Archibald. The Nova Scotia bar has had few abler members, nor the Assembly a more effective champion of its rights when these were threatened with invasion by Crown or Council. In later years his views seemed to take a more conservative tinge. As long as he remained in political life he was a power that had to be reckoned with. To the vacancy in the Executive Council created by Mr. Stewart's elevation, Lewis Morris Wilkins of Windsor was called.

During the summer of 1846 a special session of the Legislature was held to consider the state of affairs in the Island of Cape Breton, where an agitation had been set on foot looking to its restoration to a state of colonial independence. The special point on which the Executive desired the advice of the representatives was the propriety, or necessity of sending a delegate to England to counter-work the machinations of the promoters of separation. The despatches connected with this abortive project will be found in the Appendix. No delegate was sent on what would have proved to be a "fool's errand."

One of the members sought to take advantage of this special session to get in a little work for reform. The attempt was thwarted by a summary prorogation.

HOUSE OF ASSEMBLY.

(Elected August 5, 1847.)

Counties.

Halifax—Joseph Howe, and Henry Y. Mott.
Colchester—Samuel Creelman.
Pictou—G. R. Young and Andrew Robertson.
Cumberland—Stephen Fulton and R. McG. Dickey.
Hants—William Card and John McDougall.
Kings—John C. Hall and Daniel Moore.
Annapolis—James W. Johnstone.
Digby—Francis Bourneuf.
Yarmouth—Herbert Huntington.

Shelburne—Gilbert McKenna.
Queen's—S. P. Freeman and Jno. Campbell.
Lunenburg—George Ernst and Henry Mignowitz.
Sydney—William A. Henry and James McLeod.
Guysborough—W. F. DesBarres and A. McDonald
Cape Breton—James B. Uniacke.
Richmond—Chas. F. Harrington.
Inverness—William Young and Peter Smyth.

Townships.

Halifax—James McNab and Law. O'C. Doyle.
Truro—William Flemming.
Onslow—John Crowe.
Londonderry—John Wier.
Pictou—Henry Blackadar.
Amherst—W. W. Bent.
Windsor—James D. Fraser.
Newport—Ichabod Dimock.
Falmouth—James Sangster.
Cornwallis—Mayhew Beckwith.
Horton—Edward L. Brown, M. D.
Granville—Stephen S. Thorne.
Annapolis—Alfred Whitman.
Digby—Charles Budd.
Clare—Anselm F. Comeau.
Yarmouth—Benjamin Killam.
Argyle—John Ryder.
Shelburne—Joshua Snow.
Barrington—John Homer.
Liverpool—William B. Taylor.
Lunenburg—John Kiddy.
Sydney, C. B.—Edmund M. Dodd.
Arichat, C. B.—Henry Martell.

RESULTS OF NEW POLLING BILL.

The Simultaneous Polling Bill, among its good results, did away with the prolonged uncertainty and anxiety which had necessarily followed the old practice of spreading the elections over a fortnight or three weeks. Everyone, except perhaps a few of those ultra

sanguine people who can extract sunbeams from a cucumber, knew in a few days that the government was defeated. The customary historic representation is that Mr. Johnstone was not only beaten but completely routed. This representation is not borne out by the facts. If the government had retained the three seats in Hants which it lost by very small majorities, the result would have been a tie. Though the opposition had the decisive majority of six or seven, there was nothing of the nature of a route.

The practice in England was not then as well established as it has since become, in accordance with which a defeat at the polls is immediately followed by the resignation of the government. As to Nova Scotia, Mr. Johnstone's was the first government that ever was defeated at the polls. So it was decided to await the meeting of the Legislature and go out of office by a regular process of parliamentary elimination. When the appointed time arrived William Young was elected speaker by a vote of twenty-eight to twenty-two. Every member voted according to his supposed political proclivities.

Then came the expected want of confidence resolution, which having passed, the Government resigned.

FORMATION OF A NEW GOVERNMENT.

On the resignation of the Johnstone government, Sir John Harvey called on James Boyle Uniacke to submit the outline of a new administration. The names finally decided on were James B. Uniacke (Attorney-General), Joseph Howe (Provincial Secretary), William F. DesBarres (Solicitor-General), and (without office) Michael Tobin, Hugh Bell, James McNab, Herbert Huntington, L. O'C. Doyle, and George R. Young. Sir Rupert D. George, the former Provincial Secretary, was retired on a pension. A measure for the reorganization of the higher official system of the Province was promised and soon introduced. Its construction and passage constituted the chief direct legislative business of this opening session. It was a highly contentious measure, as it was claimed by the Opposition to interfere with vested rights and the pledged faith of the Crown, in so far as the Crown was represented by the late Provincial Executive. The protests against the so-called "Departmental Bill" were so energetic that the Imperial government held back its sanction for a year. Ultimately the colonial office yielded to Mr. Howe's

logical point that no functionaries had claims to consideration and pension whose appointment to office postdated Lord John Russell's despatch, informing all councillors and heads of departments that they were liable to dismissal at the pleasure of the appointing power. Samuel P. Fairbanks, who had been appointed Provincial Treasurer in 1845, was able to show that he had accepted office on the distinct pledge that he was irremovable except for misconduct. To this it was replied—the Colonial Secretary finally admitting the contention—that the act of the late government in making such a pledge was of an *ultra vires* character. When the "Departmental Bill" secured imperial assent in 1848, Mr. Fairbanks was retired without pension; two new cabinet offices were created. Hon. James McNab was appointed Receiver-General and the Hon. Herbert Huntington, Financial Secretary.

Shortly after the session closed, the government, outside of the limits of the "Departmental Bill" exercised its rights of dismissal or appointment by issuing a new commission of the peace, that is to say, a revised list of the magistracy for all the counties, with a brief interruption during the coalition period when Mr. Howe himself had boasted that Lord Falkland through his influence had appointed seventy or eighty Liberal magistrates, appointments to the county bench has from time immemorial proceeded from one direction. Some rectification of this one-sidedness was certainly desirable and necessary. The changes—additions and subtractions—were quite numerous, especially in the older counties. The opposition claimed that much of the work of both deletion and enlargement was altogether indefensible. Good old Tory squires by scores and hundreds had been left off, while quite as many had been put on who had nothing but their politics to recommend them. At the ensuing session of the Legislature the commission was the *piece de resistance* of the opposition bill of fare. The House, however, after a full discussion of the matter, decided that it was "a wise and beneficial measure expected by and satisfactory to the people of Nova Scotia."

Politically history abounds in contradictions and anomalies. In 1837 Mr. Howe pleaded strongly for the principle of an "Elective" Council. In 1850 Mr. Johnstone, introduced in the Assembly a formal set of resolutions in support of the same. In support of a hostile amendment to these resolutions, Mr. Howe delivered a speech

—which he called a speech "in support of the Constitution"—in which he remarked that one "might just as well attempt to stick a dog's tail on a lion's back as engraft an elective Legislative Council on responsible government." Then, as well as now, a political leader's opinion on an Upper House—call it Senate, or call it Legislative Council—was determined by circumstances rather than principles.

The history of the earlier part of the period lying between the general elections of 1847 and 1851 was occupied with questions which have lost their interest, save as far as they marked the settlement of the constitutional disputes which agitated the Province since 1837. The formative process was at an end.

IMPETUS IN RAILROAD BUILDING.

Like the agitation for responsible government, now happily over, the railroad fever struck all the British North American Provinces pretty nearly simultaneously. In Nova Scotia it manifested its first symptoms when in May, 1850, Mr. Howe proposed to pledge the provincial revenue for the entire cost of a railway to Windsor. It is not meant that this was the first suggestion of that particular enterprise. It could scarcely fail to occur to anyone who had even heard of a railroad, and who had noticed the geographical relation to one another of Chebucto Bay and the Avon River. Railway systems were in their infancy in 1835. Yet at that early date Joseph Howe had mentioned and discussed the subject in *The Nova Scotian*. Halifax and Windsor were too far apart for the good of either: "If Halifax could be brought as near to Windsor as Mr. Jeffrey's farm; or if Windsor with all the shores of the Basin of Minas at its back, could be drawn as near to the capital as Mr. Fultz's vicinity, both town and country would be benefited to an extent which no one could possibly calculate." Then the editor illustrated the utility of railroad connection: "An old woman in Windsor might fill her basket with vegetables, and coming down on the railroad reach Halifax as early in the day as the blacks get here from Preston with their berries. A fisherman who found the Halifax market supplied, could take the contents of his flat boat to Windsor and return in time to row himself home to Ferguson's Cove."

That was in 1835—the year of the famous libel suit. Mr.

Howe is now a statesman, and, though Mr. Uniacke was nominally leader, practically the directing spirit of the government of Nova Scotia. As such he appears to be about to give effect to the dream of his youth. But all of a sudden this project of a railway to Windsor, though ratified by the House, was laid aside, and remained for four years not only unaccomplished, but absolutely unnoticed. During the four years in question Mr. Howe was engaged in the advocacy and promotion of railway enterprises of much greater magnitude and importance than the little line to Windsor. Though absolute failure attended these efforts, such was the transcendant power of his genius, that these four years are generally regarded by his admirers as constituting the most brilliant epoch of a brilliant career.

DURHAM'S RAILROAD PROJECT.

Lord Durham's Intercolonial railway was still in the air. Its promoters had just been informed by Earl Grey that the British Parliament could not be depended on to contribute a pound towards its construction. Simultaneously a convention was called at Portland, Maine, to devise steps for constructing a railroad from Halifax to Portland. At the convention Uniacke represented the government of Nova Scotia, and Johnstone the opposition, both of course unofficially. This road, it was estimated, would cost $12,000,000, while neither Maine nor Portland could be depended on for a dollar, so deeply involved were they by their pledges in connection with the proposed roads to Boston and Montreal. When the delegates from Halifax returned, they of course called, or the mayor called for them a meeting in Mason Hall, at which the situation was duly explained. To the great surprise of everybody, Mr. Howe, who did not even occupy a seat on the platform, took his place beside the chairman, and after a lucid exposition of the conditions of the railroad problem, moved a resolution, recommending the Provincial Parliament to construct that part of the proposed highway which passes through Nova Scotia, that is, from Halifax to the New Brunswick frontier. This highway, when built, would serve as far as Nova Scotia is concerned as part of the Durham road to Quebec. The proposal of Mr. Howe's was received with hilarious enthusiasm by the audience, and the feeling communicated itself to all classes. Sir John Harvey at once put himself in communication with Earl Grey as to whether

the Imperial government might be disposed to guarantee Nova Scotia bonds to the extent of $4,000,000 to enable her to construct her portion of this great international highway according to the proposal of Mr. Howe. The reply was explicitly negative. Mr. Howe had put the government in a somewhat embarrassing position. The easiest road out of the difficulty was to send the Provincial Secretary himself to England. Perhaps his tact and eloquence might secure a reversal of the unfavorable decision. How Mr. Howe, equipped with a commendatory letter from Sir John Harvey, proceeded to England; how in addition to personal interviews with Earl Grey, he addressed to that nobleman letters which in breadth of view, cogency of argument, aptness of illustration and felicity of style take first-class rank among state papers of their kind; how in order to get into touch with the people, as distinct from the ruling class, he accepted the hospitalities of one of the great sea-ports and delivered his immortal Southampton speech; and now at last he felt himself enabled to write: "The Lieutenant-Governor will be gratified to perceive that my mission has resulted in the determination of Her Majesty's Government to propose to Parliament to advance or guarantee the funds which may be required by the three North American Provinces, to make a railroad from Halifax to Quebec or Montreal, including a line of connection across New Brunswick with the railroad lines of the United States"; all this is sufficiently well known to the average Nova Scotian to render fuller reports unnecessary.

WHEN HOWE RETURNED TO HALIFAX.

Flushed with supposed victory over formidable difficulties Mr. Howe returned to Halifax in April, 1851, to find political matters in a state of considerable confusion. Throughout the earlier railway period, the ship-owning constituency of Yarmouth evinced decided hostility to the policy of plunging the Province in debt to encourage a species of locomotion which could be of little advantage. That stalwart radical, Herbert Huntington, shared this feeling and had resigned his seat in the cabinet. There had been serious differences of view as to the appointment of a new Financial Secretary. Johnstone had actually succeeded in getting passed a resolution in favor of an Elective Council. There were other domestic political troubles that need not be mentioned.

He also found mischief brewing in both Maine and New Brunswick, of which we shall hear later on. But the time for the election is approaching. Mr. Howe issued his manifesto in the form of a speech in Mason Hall. If not one of his greatest speeches, it is one of his most characteristic. No sign of the vexatious worries which encountered him on his return were allowed to show on that flushed and radiant countenance. He was triumphant self-confidence personified. Everything is just a little, or very much, exaggerated. The seven million starting "at the lowest interest at which money can be obtained in the world" were already available. He held in his hand letters from two of the leading banks in London, each anxious to open an account with Nova Scotia. Another capitalist offered to "place one hundred thousand pounds at our disposal. Then there are grand pictures of a consolidated British North America, and fine prophecies that did not go unfulfilled. I am neither a prophet nor the son of a prophet, but I venture to predict that many in this room will live to hear the whistle of the steam-engine in the passes of the Rocky Mountains and to make the journey from Halifax to the Pacific in five or six days."

Before the elections came off, Mr. Howe visited St. John, Fredericton, Quebec, Montreal, Toronto, and other centres in the Provinces west of Nova Scotia, receiving addresses, delivering speeches, and enjoying banquets wherever he went. On his return he decided to win a couple of seats from the enemy by withdrawing from Halifax and accepting a nomination for Cumberland. Stephen Fulton, who had sat for the latter constituency for eight or ten years, accepting Mr. Howe's railway policy became his colleague. They were elected by acclamation.

HOUSE OF ASSEMBLY.

(Elected August 28, 1851.)

Counties.

Halifax—John Esson and William Annand.
Colchester—Adams G. Archibald and G. W. McLennan.
Pictou—John Holmes and Robert Murray.
Cumberland—Hon. Joseph Howe, M. E. C., and Stephen Fulton.
Hants—Benjamin Smith and Nicholas Mosher.
Kings—John C. Hall and Daniel Moore.

Annapolis—Hon. James W. Johnstone.
Digby—Francis Bourneuf.
Yarmouth—Thomas Killam.
Shelburne—Thomas Coffin.
Queen's—Snow P. Freeman and John Campbell.
Lunenburg—John Creighton and Benjamin Zwicker.
Sydney—William A. Henry and John McKinnon.
Guysborough—John J. Marshall and Stewart Campbell.
Cape Breton—James McLeod.
Richmond—Hon. James B. Uniacke.
Inverness—William Young and Peter Smyth.
Victoria—Hugh Munro and John Munro.

Townships.

Halifax—L. O'C. Doyle and Benjamin Wier.
Truro—Hon. Samuel Creelman, M. E. C.
Londonderry—James Campbell.
Pictou—Martin I. Wilkins.
Amherst—William W. Bent.
Windsor—James D. Fraser.
Newport—Ichabod Dimock.
Falmouth—Elkanah Young.
Cornwallis—Samuel Chipman.
Horton—Edward L. Brown, M. D.
Granville—Stephen S. Thorne.
Annapolis—Alfred Whitman.
Digby—John C. Wade.
Clare—Anselm E. Comeau.
Yarmouth—Jesse Shaw.
Argyle—John Ryder.
Shelburne—John Locke.
Barrington—Josiah Coffin.
Liverpool—Andrew Cowie.
Lunenburg—Henry S. Jost.
Sydney, C. B.—Donald N. McQueen.
Arichat, C. B.—Henry Martell.

The above returns indicated that the government had been maintained in power but by a reduced majority. It had gained Cumber-

land and strengthened itself at a few other points. On the other hand, Pictou, Lunenburg, and Hants, with the exception of one seat in the latter, had gone over to the opposition. The government was also weakened by the attitude of the extreme West towards its railway policy.

FURTHER RAILROAD DISCUSSION.

The new House met in November, in order to take formal action on the projected scheme of inter-provincial railroad construction. The opening speech of the Lieutenant-Governor represented that the outlook for this project "of establishing railway communication between the southern seaboard of Nova Scotia and the St. Lawrence, with a branch line to connect the main trunk with the railway systems of the United States" was very encouraging. Canada had voted sixteen million dollars for her portion of the main line, New Brunswick's ratification awaited that of Nova Scotia. The bills pledging Nova Scotia to the construction of her territorial proportion of the trunk line, and also of thirty miles beyond the New Brunswick frontier, passed by triumphant majorities—33 to 17. It had been ciphered out that the building of the trunk line would lead to an enormous influx of permanent settlers—large enough to indirectly reduce the cost of the road to a nullity,—so that there is real pathos in the record that "Mr. Howe called the attention of the House to the importance of surveying and preparing the Crown lands for the occupation of settlers who might, by the construction of our public works, be attracted into the country."

The session having been called for a special purpose lasted but a few weeks. Advantage was taken of it to pay a tribute of respect to the memory of the recently deceased Herbert Huntington, a man of "plain manners, enduring virtues and unbending integrity."[1] Called to be Governor over three Provinces, Sir John Harvey never "closed a legislative session with more pride and satisfaction" than the one in which Nova Scotia bravely assumed the task of building, at a time when there were only a few thousand miles of railway in operation on the whole American Continent, a line of two hundred miles, thirty of which were in another Province.

The bright prospects soon began to cloud over. New Brunswick

[1] In a poetic tribute in the *Nova Scotian*, written by Mr. Howe, this sturdy upholder of popular rights, is alliteratively designated "honest, homespun Herbert Huntington."

made her ratification contingent on the abandonment of the Robinson, or North Shore, route to Quebec, in favor of one by the St. John Valley. Nova Scotia consented to this very reluctantly. Hincks of Canada and Chadler of New Brunswick visited England to obtain, if possible, Imperial assent to this change of route. Mr. Howe declined to accompany them. He was opposed to the change, but if the Colonial office approved, he would not imperil the whole project by refusing to accept it.

When the Nova Scotia Legislature met in regular session in the winter of 1852, the validity of the election of Howe and Fulton for Cumberland was called in question on a technicality. While a committee was wrestling with the problem, Howe found time to prepare and deliver a most elaborate speech against another of Mr. Johnstone's motions in favor of an Elective Legislative Council. By this time he had come to entertain a decidedly favorable opinion of Crown-nominated Upper Houses.

The election committee to which the petition from Cumberland had been referred, brought in a report unseating Messrs. Howe and Fulton on account of some irregular action on the part of the sheriff. They were re-elected by substantial majorities. Some despatches came announcing that the imperial guarantee would be withheld if the line by St. John was adopted. To make the failure of the scheme absolutely complete, it was announced that Earl Grey's promised guarantee was never intended to include the "Portland Branch," but was strictly limited "to the main trunk line from Halifax to Quebec." The imputation that he had either stupidly misunderstood, or wilfully misrepresented, Earl Grey's promise conveyed in a letter from his secretary, Mr. Hawes, stung Mr. Howe to the quick. Of misrepresentation there certainly had been none. If the Hawes letter was somewhat ambiguous, Mr. Howe had written letters almost without number to Lord Grey, in which his own interpretation of the scope of the guarantee was fully expressed. These letters had been acknowledged, without any connection of what, if the present charge against him is well founded, Earl Grey must have considered a fundamental misinterpretation.

One thing is clear. The problem of railroad building for Nova Scotia is greatly simplified. Canada and New Brunswick have gone their own ways. She will now rigidly attend to her own concerns.

MARDANT SUCCEEDS HARVEY.

At this juncture Sir John Harvey—a model Colonial Governor—suddenly passed away. His successor, Sir Gaspard de Mardant, was sworn in on August 5, 1852. The government at once fell back on the policy, which in 1850, had been suspended in favor of a wider one with grand continental possibilities. Provincial roads, east and west, were to be constructed as public works. Contracts, subject to sanction by the Legislature, were called for. Tenders soon came in, and Mr. Howe went to England to ascertain the character and standing of the tenderers, and inquired into the money market as well.

The session of 1853 did nothing except clear the ground for future operation. Canada and New Brunswick had committed the construction of their railways to the great Jackson firm, which gave many roseate assurances to Nova Scotia of their ability to serve her effectively in the same way. Mr. Johnstone favored the acceptance of Jackson's offers and with the assistance of the anti-railway section of the House produced an absolute dead-lock. The government withdrew its bills, substituting what was called a "Facility" bill, making it possible for any who might choose to survey the field and submit tenders. Mr. Jackson soon got into trouble in New Brunswick. When the Legislature met in 1854, the coast in Nova Scotia was perfectly clear. The Government's Railway policy was definitely announced. The following lines were to be constructed as public works out of public funds: (1) a trunk line to Pictou; (2) a westward line to Digby via Windsor; (3) a line from Truro to the New Brunswick boundary. Six commissioners appointed by the government were to supervise the construction of these roads, the total mileage of which was nearly double that for which Nova Scotia would have been responsible under Earl Grey's guarantee. When the Provinces were confederated in 1867, the part of this program actually carried out included simply lines from Halifax to Windsor towards the west, and to Pictou to the northeast,—less than one-half of the whole, yet no small achievement for so small a Province as Nova Scotia in thirteen years.

Deserted by Mr. Wilkins and other prominent supporters, Mr. Johnstone could only make a show of opposition to the government measures providing for the carrying out of the above plan. In the spring of 1854, the government was reorganized. Mr. Howe retired,

to become chairman of the Railway Board. Mr. Young became Attorney-General and leader of the administration. Mr. Wilkins, transferring his political allegiance to the Liberals, was sworn in as Provincial Secretary.

Railway legislation had not completely monopolized attention during the session of 1854. Other important matters were considered, and some notable speeches delivered. Mr. Johnstone introduced a resolution, supported by elaborate argument, in favor of the confederation of the British North American Provinces. Mr. Johnstone's speech was distinctly non-controversal, marked by a statesmanlike breadth of view and, especially when read in the light of subsequent events, by a remarkable accuracy of foresight. Instead of attempting a formal reply, Mr. Howe embraced the opportunity of delivering one of the most discursive, brilliant, and famous of his parliamentary orations, that on "the organization of the Empire." To this period, too, belongs his less highly rated speech on the "Maine Legislation."

THE RECIPROCITY TREATY.

In the autumn of 1854 a special session was held to secure the necessary ratification by the Legislature of the Reciprocity Treaty recently negotiated between the United States and Great Britain, respecting the free use of the inshore fishing grounds, and the free interchange of raw products, between the United States and the British American colonies for a period of ten years. The required ratification was easily enough secured, but precious little enthusiasm characterized the transaction. Keen resentment was felt by many members over an assumed slight to Nova Scotia. The Province, unlike the others, had not represented, or in any way consulted, in the preliminary conferences at Washington. Still farther, the supposed loss accruing from the access of American fisherman to our coastal waters was, in advance of actual experiment, somewhat exaggerated, while the positive advantages arising from free access of our products to the United States markets, correspondingly depreciated. It may be admitted that prior to the breaking out of the American Civil War in 1861, the balance of gain to the Provinces was not very significant.

The Parliamentary session of 1855 seems to have been a barren one. Mr. Howe was for the most part absent from his seat. The

general conduct of affairs had passed into other hands. Besides, a special matter to be referred to briefly in a subsequent paragraph withdrew him from the Province for the latter part of the session.

For some reason his friends dissolved the House during his absence, and he had to hurry back in order to reach Cumberland by election day. Both himself and his late colleague, Mr. Fulton, were decisively defeated at the polls. This was in May, 1855.

HOUSE OF ASSEMBLY.

(Elected May 22, 1855.)

Counties.

Annapolis—Hon. James W. Johnstone, M. E. C.
Cape Breton—William Chandler.
Colchester—Adams G. Archibald and G. W. McLennan.
Cumberland—Hon. Charles Tupper, M. D., M. E. C., and Alex. McFarlane.
Digby—Francis Bourneuf.
Guysborough—Hon. J. J. Marshall, M. E. C., and S. Campbell (Speaker).
Halifax—John Esson and William Annand.
Hants—Ichabod Dimock and Francis R. Parker.
Inverness—William Young and Peter Smyth.
Kings—Caleb R. Bill and William B. Webster, M. D.
Lunenburg—George Geldert and Benjamin Reinard.
Pictou—George McKenzie and Alex. C. McDonald.
Queens—Hon. John Campbell, M. E. C., and Edward D. Davison.
Richmond—Thomas H. Fuller.
Shelburne—Cornelius White.
Sydney—William A. Henry and Hon. J. McKinnon, M. E. C.
Victoria—Hugh Munro and Hon. Charles J. Campbell, M. E. C.
Yarmouth—Hon. Thomas Killam, M. E. C.

Townships.

Amherst—William W. Bent.
Annapolis—Alfred Whitman.
Arichat—Henry Martell.
Argyle—John Ryder.
Barrington—Robert Robertson.

Cornwallis—Samuel Chipman.
Clare—Maturin Robichau.
Digby—John C. Wade.
Falmouth—Ezra Churchill.
Granville—Stephen S. Thorne.
Halifax—Benjamin Wier and John Tobin.
Horton—Edward L. Brown, M. D.
Londonderry—Thomas T. Morrison.
Liverpool—Matthew McLearn.
Lunenburg—Henry Bailey.
Newport—William Chambers.
Pictou—Hon. Martin I. Wilkins, M. E. C.
Shelburne—John Locke, Jr.
Sydney, C. B.—James McKeagney.
Truro—Hiram Hyde.
Windsor—Hon. Joseph Howe.
Yarmouth—Nathan Moses.

A glance at the above list when compiled from the returns was sufficient to show that the Young government had been handsomely sustained. Its friends of course regretted deeply the exceptional defeat in Cumberland. Those of them personally attached to Mr. Howe's fortunes consoled themselves with the reflection that on the assumption that the administration stood for the principles of the defeated statesman, those principles, the Province over, had received their most emphatic endorsement since the general election of 1840. The Conservative was in too moribund a condition to reduce the significance for it of the Cumberland election.

To the end of his days, with temporary obscurations, Joseph Howe remained a conspicuous figure in the public life of Nova Scotia. Still there is some ground for the distinction which many writers have drawn between the earlier and later periods of Mr. Howe's career, with the division roughly fixed at the points now reached. Events which tended to weaken his masterful hold on public confidence began to follow one another.

FOREIGN ENLISTMENT ACT.

In the winter of 1854-5, the British Parliament passed the Foreign Enlistment Act. The object of this crazy measure was to enable

England to replenish her Crimean army by recruits drawn from the thousands of British subjects temporarily sojourning, or even domiciled, in neutral states. Attention was drawn to the rich possibilities in that direction furnished by the crowded cities of the American Union, where the times were hard and the demand for labor slight. The formal enlistment of emigrants in New York and Boston, who preferred the Queen's shilling "to starvation must of course take place in the Queen's realm." The problem was how to get them there, provided the reports which had reached the ministry regarding their number and inclination proved well founded. Sir Gaspard Le Marchant, the Governor of Nova Scotia, was instructed to establish a recruiting depot at Halifax, and select a suitable agent to obtain supplies for it in the crowded cities of the United States. Under pressure from Sir Gaspard, or inspired by a patriotic desire to save his country, Mr. Howe put his grand reputation to risk by undertaking this paltry secret service mission. But we must not judge him harshly. A patriot always, he also cherished an intensely strong desire to connect himself with the Imperial service of Great Britain, as is shown by personal appeals to four successive Prime Ministers or Colonial Secretaries. The Lieutenant-Governor was now appealing to him in the name of Her Majesty. When in the United States he would be closeted confidently with Sir John Crampton, the British Minister at Washington. If the enterprise succeeds, what may it not lead to? Of course these were dangers and pit-falls. The United States stand very jealously and scrupulously on their sovereign rights. Mr. Howe has himself told us how fully he took in this view of the subject, and also how he reasoned that the cabinet and Parliament which had brought into effect the Foreign Enlistment Act would surely stand by the humble subject who was chosen to execute its provisions. So he girded himself for the task. A schooner-load or two of nondescripts were shipped from Boston for Halifax, described in the vessel's manifest as "navvies to work on the Nova Scotia railway." But the general result was most disappointing. His biography related the story: "During the two months, March and April, that he spent in the United States, he had to communicate with a score of persons, whose names had been given to him, and many of whom turned out to be reckless adventurers, utterly devoid of principle. He had to test their resources, to penetrate their designs, to estimate their character, and not unfrequently to fling them off

and run the risk of treachery and hostility, when he had proved or suspected that they were worthless. He had to do this *with the neutrality laws in his front,* and Russian agents and sympathizers all around him." Under these conditions the qualities of "prudence, sagacity, and moral courage" were certainly called in requisition, but against "the powers that be" they were of no avail. The Attorney-General of the United States declared that the work in which Sir John Crampton and Mr. Howe were engaged was "an act of usurpation against the sovereign rights of the United States." The cabinet at Washington demanded Sir John Crampton's recall. The law officers issued warrants for the arrest of Mr. Howe and his secretary. The secretary was caught, tried, and acquitted. Mr. Howe "left the country, without the authorities—however well disposed to have done so—being able to prove against him any violation of law." One sequel of this curious and altogether remarkable affair involves the name of W. E. Gladstone. When Sir John Crampton's recall, or dismissal, came up for discussion in the House of Commons, that statesman went so far as to state that "the conduct of Sir John and Mr. Howe was an intentional violation of the municipal law of the United States." Howe liked nothing better than writing letters, so he proceeded to dash off one of nearly twenty-thousand words, formally, to correct Mr. Gladstone's opinion on the legal aspect of the question, really, in connection with much miscellaneous matter, to advocate "the policy of open depots for enlistment at all convenient points along the North American frontier." On one point he had Mr. Gladstone at a decided disadvantage. Mr. Gladstone was a member of the cabinet and Parliament which framed and passed the Foreign Enlistment Act, and handsomely acknowledged that the primary fault lay with the authorities of that statute, rather than the agents employed to carry out its provisions.

TROUBLES OF MR. HOWE.

Mr. Howe was without a seat in the Assembly during the session of 1856. Nothing of much importance is on record to the credit of that session, though that a new vitalising influence had been infused into the Opposition by its accession from Cumberland was generally recognized is clearly enough indicated in the reports which have come down to us. As soon as the session ended, a reconstruction of the

Provincial Executive took place. Mr. Wilkins was carried to the Supreme Court bench, to take the seat vacated by the resignation of Judge Bliss; W. A. Henry of Antigonish succeeded Mr. Wilkins as Provincial Secretary; while Mr. Adams G. Archibald of Colchester followed Mr. Henry as Solicitor-General.

For a man of Mr. Howe's temperament, endowments, and ambitions the chairmanship of a Board of Railway Commissioners charged with the construction of a hundred miles of track, was a very limited field of effort, and withal uncongenial too. After a mortifying failure in the foreign enlistment business, his clandestine flight from New York was immediately followed by a stunning political defeat in Cumberland. He was nervous, irritable, and discontented.

It so happened that the people who gave him most trouble when prosecuting the recruiting business in the United States were Irishmen. The recruits—or navvies—who had actually come to Halifax, belonged mostly to the same nationality. That having come, they evinced no great desire to carry out what Mr. Howe regarded as the understanding when Sir John Crampton advanced money for their passage, he believed, or assumed, to be due to the machinations of some Irishmen in Halifax. Altogether, his nervous organism was in such a state that any Irish irritant from the same quarter was sure to produce unpleasant consequences.

THE GOURLEY SHANTY INCIDENT.

The work of track-construction on the Nova Scotia Railway had reached the Shubenacadie just beyond Grand Lake. Indeed it had progressed a little farther. "Gourley's Shanty," the scene of the unhappy incident about to be related, was located a little beyond Enfield. Of the navvies engaged in construction work, some were Protetsants of the ordinary mixed Nova Scotia stock, others Irish Catholics. Except in working hours, racial and religious consideration led to a separate grouping. "Gourley's Shanty" was a Protestant establishment. Whether there had been religious disputes and altercations in advance of what happened on *Corpus Christi* day, we are not informed. But on that day, some demon of discord impelled Protestants to jeer in a peculiarly offensive and objectionable manner with the most august and sacred article of the Roman Catholic faith. Instead of confining their indignation to verbal remonstrance the Irishmen flew to cudgels, and in their attack on Gourley's Shanty shed

blood, and came alarmingly near actual homicide. Before the riotous attack was quelled, personal injuries were inflicted, the marks of which the victims bore to their graves. There is nothing in this unfortunate incident important enough to require it to be noticed in these pages, nor do the relative demerits of the parties to it require discussion. It led, however, to more important consequences. Within a day or two there appeared a letter in one of the Halifax papers, over the signature of Joseph Howe, than which few letters published in our provincial press ever produced a greater sensation. It was in effect an appeal to the Protestants of Nova Scotia to mass themselves in close array to resist the aggressions of the Catholic Church. It asserted—and the assertion could not have been made in terms more revolting to Roman Catholics, learned and unlearned alike—the right of Protestants to publicly express themselves in whatever language they chose regarding the mysteries of faith as held by the Church of Rome. The corresponding right of Roman Catholics to abase the religion of those Protestant neighbors was of course admitted, but so mildly as to suggest that after all Protestantism neither in faith or practice presented any vulnerable points. Mr. Howe was chairman of the Railway Board. Had he in that capacity addressed a missive to the workmen along the line that they must repair from animadversion on the religion of their fellow-workmen, and that, if so provoked, they must refrain from physical retaliation, every reasonable man in Nova Scotia, would have approved of his course. What was rightly objected to was the attempt to found on the Gourley Shanty incident proof of a Roman Catholic determination to ride rough shod over the rights of all other creeds, and dominate Nova Scotia. One circumstance surely should have given pause to Mr. Howe's crusade, before hasty invitation had developed into a settled purpose, which, perhaps more than any other cause, had contributed to his obtaining and retaining power? Plainly, the steady support of the Roman Catholic electorate, was given without stint or qualifications. Every Roman Catholic member in the Assembly was a Liberal, and so it had been in every previous Assembly since the modern alignment of parties began. At every general election since 1840, with the possible exception of the last one, Mr. Johnstone had polled a decided majority of the Protestant elections. And what was granted in return for this unflinching support? A couple of seats in the

cabinet, and during the period of Mr. Howe's supremacy from 1847 to 1855, but a single occupant of a salaried ministrial office, and that one a Legislative councillor in a minor position. Struck this unexpected blow, the Roman Catholic priesthood and laity might well exclaim, *"Et tu, Brute!"*

When the Legislative session of 1857 opened, Mr. Howe had resumed his seat in the Legislature again. He had been elected to fill the vacancy in the representation of Windsor caused by the elevation of Mr. Wilkins to the bench. It may be mentioned incidentally that Judge Wilkin's first judicial appearance in his native town occurred a few months after his appointment to the bench, and that the chief event of that particular sitting of the court was the trials of the Gourley Shanty rioters.[1]

Mr. Johnstone was ready to attack the Government with a *Want of Confidence Motion.* Before it had been actually submitted for discussion, the government, or cabinet, began to disintegrate. The resignation of Michael Tobin, a prominent Halifax Catholic, was followed by that of the Provincial Secretary, Mr. Henry, who represented a county (Sydney, now Antigonish) largely peopled by Roman Catholics. When the "Want of Confidence Motion" came to a vote all the Roman Catholic members, together with Mr. Henry and John C. Wade, M. P. P. for Digby, crossed the floor and supported the motion, which carried by a vote of 28 to 22. A new government was soon announced as follows: James W. Johnstone, Attorney-General; Charles Tupper, Provincial Secretary; John J. Marshall, Financial Secretary; Martin I. Wilkins, Solicitor-General; and S. Brown, Receiver-General; also the following members without office—John McKinnon, John Campbell, Michael Tobin, Charles J. Campbell.

Mr. Howe resigned his position as member of the Railway Board. He addressed a letter to the people of Nova Scotia, challenging them to action in the interests of endangered Protestantism. The only effectual safeguard was the perpetual exclusion of Roman Catholics from official position. To promote centralization of effort he announced the formation of a Protestant Alliance, which proved to be a very effective electoral organization, until having served its purpose, it was quietly interred after the next ensuing general election in 1859. Mr. Howe delivered a good many speeches in the Assembly

[1] The men put on trial were not convicted. The jury disagreed.

during the session of 1857, 1858, and 1859, but none of them are reproduced in the Howe volumes. His reputation will not suffer by the suppression.

It is due to the memory of Mr. Young, leader of the defeated government, to say, that, though he in the end profited by the activities of the Protestant Alliance, he did not identify himself with its operations. He confined himself both in the House and on the platform to the discussion of political questions, leaving Mr. Howe to descant, with inimitable gravity, on the questions that seemed most important to him at that time.

The chief measures passed by the new Johnstone-Tupper Administration, as it was called, between 1857 and 1859, were one dealing with the vexed "Coal Mine Question," and another redistricting the Province for electoral and representative purposes.

THE GENERAL MINING ASSOCIATION.

An organization known as the General Mining Association, by purchase from the assignees of the Duke of York, owned all the coal areas in Nova Scotia, whether on the main land or in Cape Breton, but had confined their actual operations to the neighborhood of North Sydney and New Glasgow. The most potent voice hitherto voiced in Parliament in advocacy of the removal of this monopoly was that of Adams G. Archibald of Colchester, but he had received but little encouragement from one side or the other. Mr. Johnstone was solicitor for the General Mining Association, which had powerful, if partially hidden, friends on the other side as well. Mr. Johnstone was now leader, and the announcement that he had resigned the solicitorship of the association, created no little surprise and speculation. The meaning of the retirement was soon apparent. A younger man with a stronger will was now in charge. Charles Tupper, who for forty years, was to show both Nova Scotia and Canada how to do things, was the real leader. A bill was introduced to provisionlaly settle the long standing dispute as to whether the ownership of the Nova Scotia coal areas should be vested in the Province itself or in a London company. The measure provided for the appointment of two members of the House, one from each side, as commissioners to arrange or compromise, subject to ratification by the Legislature, the commissioners appointed were Mr. Johnstone and Mr. Archibald.

An arrangement was effected by which the association retained its areas already under operation and transferred all others, discovered or discoverable to the Crown. The House ratified this compromise by a vote of 30 to 17.

The redistribution bill professedly aimed at an equalization of the constituencies. Its nature can be inferred from a comparison of the next ensuing list of constituencies and members with that for 1855. It was attacked as to some degree a gerrymander. The fact that the Opposition won at the first election held under it reduced the objection and no attempt was made by Mr. Young to alter it.

Except in the counties where the Roman Catholic vote was predominant, or strong enough to practically decide the result in advance, the excitement preceding the general election of 1859 was intense. The Protestant Alliance, with Mr. Howe at the back of it, won by a majority of two or three. Mr. Young, driven from Inverness, confronted Dr. Tupper in Cumberland, and secured his election, though his two colleagues went by the board.

HOUSE OF ASSEMBLY.

(Elected May 12, 1859)

Annapolis—Hon. James W. Johnstone, M. E. C.; Moses Shaw, and Avard Longley.

Cape Breton—William Caldwell and John Bourinot.

Colchester—Northern District.: Thomas F. Morrison and A. W. McLennan. Southern District: Adams G. Archibald and Alexander Campbell.

Cumberland—Hon. William Young, Hon. Charles Tupper, M. D. M. E. C., and Alexander McFarlane.

Digby—John C. Wade, Maturin Robichau and Colin Campbell.

Guysborough—Stewart Campbell and William O. Hefferman.

Halifax—Western District, John Tobin, S. Leonard Shannon and Henry Pryor. Eastern District: William Annand and John Esson.

Hants—Northern District: Ezra Churchill and Arthur McN. Cochran. Southern District: Hon. Joseph Howe and William Chambers.

Inverness—Peter Smyth, John Lewis Tremain and H. Blanchard.

Kings—Northern District: Samuel Chipman and W. Burgess. Southern District: W. B. Webster, M. D. and John L. Brown.

Lunenburg—Benjamin Wier, Henry Bailey and Henry Mosely.

Pictou—Western District: Alexander C. McDonald and R. P. Grant. Eastern District: James McDonald and George McKenzie.

Queens—County: Hon. John Campbell, M. E. C. Northern District: Lewis Smith. Southern District: Andrew Cowie.

Richmond—Charles F. Harrington and Henry Martell.

Shelburne—County: Thomas Coffin. Shelburne Township: John Locke. Barrington Township: Robert Robertson.

Sydney: Hon. William A. Henry, M. E. C. and Hon. John McKinnon, M. E. C.

Victoria—County: Hugh Munro and William Ross.

Yarmouth—County: Hon. Thomas Killam, M. E. C. Yarmouth Township: William H. Townsend. Argyle Township: J. V. N. Hatfield.

Mr. Young, to whom the formation of the new government was entrusted, while assuming the leadership, did not take an office of emolument. He was not altogether sure of re-election in Cumberland, and so directed affairs under the non-title of Premier. Mr. Howe became Provincial Secretary and Mr. Archibald Attorney-General.

In mid-summer, 1860, a long anticipated event occurred, the death of Sir Brenton Halliburton, who had been on the Supreme Court bench since 1807, and had filled the Chief-Justiceship since 1833. It had long been understood that when Sir Brenton should pass away, his successor would be either Mr. Johnstone or Mr. Young, as the revolution of the wheel of party politics might determine. At this juncture, Mr. Young, being member and head of the government in power, obtained the coveted prize. Mr. Young, eldest son of "Agricola," had sat in the Assembly for twenty-five years, thirteen of them in the Speaker's chair. Though perhaps in prior to his distinguished competition in legal erudication and forensic gifts, he was a man of varied endowments and high character. Twenty-five years in the Assembly—thirteen of them in the Speaker's chair—were followed by a still longer period of effective public service on the bench.

In Mr. Young's elevation to the bench, the Provincial Secretary, Mr. Howe, assumed the post of leader. So dominant had been the influence of that distinguished man in the councils of his party

and on the floor of the House, that casual students of Nova Scotian history are apt to lose sight of the fact that now for the first time did the honor of nominal leadership fall to his lot.

QUALIFICATIONS OF MR. YOUNG.

While there may be some doubt as to whether the new leader possesses qualifications much above the ordinary for the practical duties now devolving on him, there can be none as to his outclassing all his rivals in power of apt allusion, poetic fancy, and felicitious expression.

The following is only one of the several literary gems found in his introductory speech on the dry subject of "Ministerial Changes."

"Perhaps the House will indulge me while I say that, when looking around these benches, it is with regret I find myself almost the father of the House, for with the exception of my honourable friend Mr. Chipman, I sit here its oldest member—a member of twenty-five years' standing. My age and standing therefore, if not my abilities, might justify the appointment to which I have referred. But, Mr. Speaker, while I look forward hopefully to the development of a successful policy—to the passage of good measures and the progress and advancement of the country, my thoughts involuntarily flow backward, and that brilliant galaxy of noble men who sat around me years ago presents itself to my mind's eye; and I almost feel to-day that however high the position may be, these memories dash its attainment with sadness. When I recollect the late Mr. Archibald,—whose presence filled, and whose person for a long period adorned that chair, whose brilliant talents charmed all who knew him, and whose silvery tones seem yet ringing in my ears; when I recollect that that charm is broken and that the eloquent voice is hushed, an involuntary sadness shadows the memory. Again, when I recollect my honourable friend Mr. Uniacke—with the person of an Antinous —the grace of a gentleman—the eloquence of an Irish orator, and the common sense of an educated Nova Scotian, who so long dignified this House by his presence; when I recollect my old friend Herbert Huntington, with his rough exterior but honest integrity—that noble incorruptible man, who stood beside me during the earlier periods of my life—I cannot refrain from pausing to drop a tear over the memories of those who have departed forever from amongst us. The beautiful language of Moore rises to my lips, and

"'I feel like one who treads alone
Some banquet hall deserted;
Whose lights are fled, whose garlands dead,
And all but he departed.'

"From such reflections on the past, lessons of wisdom as well as feelings of sadness may be evolved. But a short time will elapse before we may anticipate that honourable gentlemen opposite will engage us in manly encounters; for, with every desire to advance the interests of the country, however successful my statesmanship, however winning and seductive my blandishments, I can hardly expect always to convince or convert the gentlemen who sit on opposite benches. But however this may be, in glancing retrospectively at the occurrences of past years, I may say, in all sincerity, I have forgotten the sharp retorts, the biting sarcasms, the hard names and heavy charges, which diversified our legislative discussions; but I have not forgotten the public courtesies, manly consideration and chivalrous spirit, that marked and characterized the transaction of public business while the men to whom I have adverted moved on this stage. From their example, then, let us derive a lesson—let us show that we have not deteriorated—that though difference of opinion do exist, though party conflicts must take place, we have not lost that decorum of conduct, nor forgotten to practice those amenities which dignify and elevate while they adorn alike public and private life."

Few legislative periods have left a less decided impress on the political history of Nova Scotia than the one interspersed between the general elections of 1859 and 1863. The government majority in the Assembly—two at the outset and never larger—was precarious as well as small. The seat in Cumberland vacted by Mr. Young's elevation to the bench was at once filled by a Conservative, elected by acclamation. On one or two other occasions, the parties were reduced to an equal footing. While the government did not gain a single seat, it obtained at various critical moments recruits from the opposition camp sufficient to enable it to hold on. The opposition, on the other hand, though weakened by an occasional desertion, maintained its full strength by carrying bye-elections, and was uncompromisingly rigorous in its assaults on the enemy's works.

The government stood mainly on the defensive. To increase its

difficulties a period of hard times set in, of which, perhaps, the other party, as oppositions are prone to do, took unfair advantage. Mr. Howe's heart, which was set on an imperial appointment, did not seem to be in his work, was much away during the parliamentary intervals, paying several visits to England and reviving, while there, in the form of a long and somewhat miscellaneous letter to Mr. Adderly, his views on Imperial organization.

HOWE AS COMMISSIONER OF FISHERIES.

In 1862, Mr. Howe received from Lord John Russell the offer of an appointment as Commissioner of Fisheries under the Recoprocity Treaty. This position had become vacant by the death of Moses H. Parley, of St. John, New Brunswick, a scientist of considerable note. Its duties were not, it must be admitted, commensurate with the great and varied abilities of Mr. Howe. Still it was an Imperial appointment, and would probably be the prelude to something better. The offer was accepted subject to the proviso that he should hold office in Nova Scotia until the ensuing provincial elections were over.

At the session of 1863, with the elections closely impending, the government attempted something positive in the way of legislation. Two related measures were introduced, one proposing a readjustment of the constituencies, the other a revision of the electoral franchise. As the former was withdrawn after some discussion its provisions do not call for comment. The Franchise Bill was pressed through the Assembly in the face of most vigorous opposition from Johnstone and Tupper. It came near wreckage in the Legislative Council, but reached port with a rider attached postponing its coming into effect until the ensuing elections were over. This suspension increased the unfavorable outlook for the government. The class of voters—not a small one—disfranchised by the bill would not be likely to show, at their last opportunity of voting, any special good feeling towards those who had deprived them of the privilege for the future. Since 1851, the principle of universal suffrage in its ordinary acceptation had prevailed in Nova Scotia. Controlled only by a moderate residential qualification, every male Nova Scotian, twenty-one years of age or over and who was not a felon or state-supported pauper, was entitled to poll his vote. Until the session of 1851 elections were held under the old 40's freehold system. Land or real estate was the

indispensable condition on which a man could take part in the government of his country. At the session of 1851, Mr. Howe being absent in England, the House "tinkered" with the franchise by substituting the payment of certain rates for the real estate qualification. The election of 1851—almost a tie in its results—was run under this arrangement. Then somebody claimed that candidates could and did, secure votes by manufacturing rate-bills. Confusion arose. It was difficult to go back to the old freehold. Something must be done. Mr. Johnstone solved the problem by proposing universal suffrage.

Mr. Howe claimed that the results of the two general elections, 1855 and 1859—both of which had been victories for his own party, had reflected very unfavorably on the principle of universal suffrage. Hence the necessity of the abridgment of the franchise, as in the government measure. Joseph Howe was undoubtedly, in the general sense of the term, a reformer. His popular designation is "Tribune of the People." Nevertheless this "Tribune of the People" was, it would appear, to the end of his days a firm believer in the old forty's freehold and deprecated the introduction of more liberal franchises. You were unfit to vote unless you had acquired in some way real estate worth eight dollars a year. It may be added that the franchise at present in force in Nova Scotia is, as the result of successive enlargements, vastly more liberal than the one passed, but temporarily suspended in 1863.

Mr. Howe, under appointment as Fishery Commissioner, had remained in connection with the Provincial Executive only that his party should enjoy the influence of his speech and presence at the approaching elections. To make this influence as telling as possible, he had consented to be put in nomination for a seat, with the understanding that if won, it was to be immediately vacated. His candidature was transferred from South Hants to Lunenburg. The elections, the returns for which are subjoined, took place on May 28, 1863, and resulted in the overthrow of the government.

GENERAL RETURN—ELECTION OF 1863.

Annapolis County—Hon. J. W. Johnstone, Avard Longly, George Whitman.

Antigonish County—W. A. Henry, John McKinnon.

Cape Breton County—Thomas Caldwell, John Bourinot.

Colchester County, North Division—A. W. McLellan, William Blackwood. South Division—Adams G. Archibald, F. R. Parker.

Cumberland County—Charles Tupper, A. McFarlane, R. Donkin.

Digby County—John C. Wade, M. Robichau, Colin Campbell.

Halifax County, Western Division—John Tobin, S. L. Shannon, H. Pryor. Eastern Division, William Annand, H. Balcom.

Hants County, North Division—E. Churchill, William Laurence. South Division, James King, Lewis N. Hill.

Inverness County—Hiram Blanchard, Peter Smythe, S. McDonnell.

Kings County, North Division—C. R. Bill, C. C. Hamilton. South Division, D. Moore, E. L. Brown.

Lunenburg County—H. S. Jost, H. A. N. Kaulback, Wm. Slocomb.

Pictou County, East Division—James Fraser, James McDonald. West Division, Donald Fraser, Alexander McKay.

Queens County—John Campbell, A. Cowie, C. Allison.

Richmond County—I. Le Visconte, William Miller.

Shelburne County—Thomas Coffin, John Locke, R. Robertson.

Victoria County—William Ross, C. J. Campbell.

Yarmouth County—Thomas Killam, George S. Brown, Isaac Hatfield.

Mr. Howe, as soon as the election was over tendered the resignation of his government and without delay betook himself to his duties as Fishery Commissioner. The propriety of his sitting in the Nova Scotia cabinet and Assembly while under appointment as an Imperial officer, had been rigorously challenged by the Opposition, but the most probing questions had brought forth but little information as to his exact relation to the commissionership during this initial period.

A new cabinet was at once formed, constituted as follows: James W. Johnstone, Attorney General and Premier; Charles Tupper, Provincial Secretary; William A. Henry, Solicitor General; James McNab, Receiver General; Isaac Le Visconte, Financial Secretary, and without portfolio—John McKennon, Thomas Killam, Alexander McFarlane, and S. L. Shannon.

JOHNSTONE MADE JUDGE IN EQUITY.

Within a year, Attorney General Johnstone resigned his seat in the cabinet to take the new position of Judge in Equity, provision for which had been made at the first session of the Legislature. The retirement from the political stage of so commanding a figure as Mr. Johnstone should not pass without notice. He cannot be said to have been on the whole a successful politician. Since 1843, the late general election was the first in twenty years at which his party had scored a victory at the polls. He had led his followers to defeat in 1847, 1851, 1855, 1859. His temporary accession to power in 1857 he owed partly to an accident, partly to the activity and pluck of his young supporter from Cumberland. To Dr. Tupper he largely owed his second victory, and to him he was now handing over the supreme command. The earlier part of his career as a political leader has already been considered.

It is but fair to Mr. Johnstone to note that politics was not with him, as with Mr. Howe, the business of his life. He had an immense legal practice, and for the duties thus imposed, it was his wont to make the most careful preparation. In the affairs of the religious body with which he was connected he took a profound and abiding interest. He was a sort of standing counsel for every Baptist congregation in the Province. The annual convention might be held in Amherst; it might be held in Truro or Bridgetown or Yarmouth; wherever held Mr. Johnstone was sure to be there. Then the great cause of Baptist education lay very near his heart and consumed both time and strength. But a coach ride to Wolfville was never considered a hardship in the interests of his beloved Acadia. It must not be thought, however, that Mr. Johnstone failed to conscientiously and honorably perform the functions of a political leader. To meet his obligations in this regard, he made many great sacrifices of personal feeling and convenience, sacrifices which some of his friends would have more highly appreciated, had they known how uncongenial to him the details of party management and the conflicts of partisan warfare.

Mr. Johnstone was an unusually keen and logical debater. His formal speeches, delivered with a somewhat solemn cadence, where a trifle heavy, unless the subject took strong hold of his feelings.

When his declamation glowed with passion, as it often did, he was most impressive and effective.

It is enough to mention the educational statute enacted during the session of 1865, the essential features of which constituted the basis of all our educational legislation. For a full half century, it was the privilege of the responsible author of the measure, the late Sir Charles Tupper, to take personal note of its beneficial operation and of the ever-increasing appreciation accorded it. It was brought in, expounded, discussed and passed, as a strictly non-partisan enactment. The general principle that the education of the youth of the country was a public duty received hearty recognition from the leader of the Opposition, Mr. (late Sir Adams) Archibald, who co-operated also in perfecting its details, and than whom the Province never had a truer and more intelligent friend of education. Some doubt was expressed as to the wisdom of constituting the members of the Executive Council the Supreme Provincial Board or Council of Public Instruction, but the fears do not seem to have been realized[1].

FOR UNION OF PROVINCES.

The Act providing for "the Union and Government of Canada, came into effect on July 1, 1867. Our narrative has brought us within two years of that momentous transitional point, for we have reached 1865. Between these two dates, events must have developed rapidly. The movement which culminated in the Dominion of Canada had its origin in Nova Scotia. It reached a point where its further progress, or final arrest, depended on the fiat of the Nova Scotia Legislature, or rather on the will of its resolute and courageous leader. To make the so-called Confederation Question intelligible, rather than for the purpose of discussing it controversially, we propose to trace with a little minuteness the various steps of a movement on which so much depended. By way of introduction, it may be noted that in his celebrated Report Lord Durham had expressed as his original preference, a union of all British North America, instead of one of the Canadas alone; that Mr. Johnstone had ably advocated this larger Union in the Nova Scotia House; and that Dr. Tupper had devoted

[1] The compiler of this history had the honor of being connected with the Council of Public Instruction under four successive Premiers, Hon. Messrs. Hill, Holmes, Thompson and Fielding. He knew of any question being discussed or decided with regard to political consideration.

his late period of Opposition to an energetic campaign throughout the Lower Province in favor of a legislative unification of Nova Scotia, New Brunswick, and Prince Edward Island.

1. In the Session of 1864, the Legislature of Nova Scotia passed a resolution, inviting the Government of New Brunswick and Prince Edward Island to send delegates to unite with representatives of Nova Scotia in considering the propriety of a legislative union of the three Provinces. Though a federal union of all British North America was not mentioned in the resolution, both Mr. Johnstone and Dr. Tuper expressed the hope that out of the Maritime project, the larger continental one would be eventually developed. New Brunswick and Prince Edward Island acquiesced, and it was decided to hold the conference in Charlottetown.

2. A few months after the aforesaid action was taken in the interest of Maritime Union, a state of chaotic political confusion in Canada had been terminated by the formation of a coalition government pledged to take active measures to secure a federal union of all the British American Provinces.

3. In September, the delegates for the promotion of the Maritime Union met at Charlottetown. Mr. Howe received from Dr. Tupper an official invitation to attend the conference as a Nova Scotian delegate. This invitation could not be accepted on the score of official business taking him elsewhere. The charge of "coolness" brought against the sender of the invitation because he did not repeat it is silly on the face of it. Mr. Howe's answer was cordial. He would "be very happy to co-operate in carrying out any measure on which the conference shall agree." Mr. Howe was treated with special consideration. He was the only delegate without a seat in the Legislature.

4. The conference at Charlottetown had scarcely convened, when a despatch from Canada was received, inquiring if a delegation from the Coalition would be admitted to consider the question of a larger Union. The answer of course was in the affirmative. The Canadian delegation received a hearty welcome. An informal consideration of the grander scheme of union followed and it was decided to hold a formal convention in its interest at Quebec on October 10th. In order to see for themselves our Maritime country a number of western gentlemen soon after visited New Brunswick and Nova Scotia. Mr.

Howe met them at Windsor and escorted them to Halifax. At a banquet tendered them in our capital Mr. Howe delivered a speech which, as reported in the Howe volumes, concluded: "I am pleased to think that the day is approaching when the Provinces will be united, with one flag above our heads, one thought in all our bosoms, with one Sovereign and one Constitution."

5. At the appointed date, delegates representing Canada, Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland, met in the historic conference at Quebec. The seventy-two resolutions agreed on by the thirty-three delegates present constitute the main basis and framwork of our present Constitution.

6. During the following winter (1865) the Canadian Legislature, no question of appeal to the electorate having been raised, endorsed the Quebec resolutions by an immense majority. In New Brunswick, to test the popular pulse, the Assembly was dessolved, the government badly beaten, and Confederation, for the time at least laid on the shelf. After the news from New Brunswick reached Halifax, a resolution to resume negotiations for a Maritime Union was passed.

7. In May the Anti-Confederate government in New Brunswick was forced by some exceptional causes to dissolve the House. The electorate completely reversed its former action and installed an Executive favourable to Confederation. This action bore immediate fruit in Nova Scotia. A resolution was introduced in the Assembly and passed by a vote of 31 to 19, authorising the Lieutenant-Governor to appoint delegates to "arrange with the Imperial government a scheme of union which will effectually ensure just provision for the rights and interests of this Province, and of the Provinces cooperating." This resolution which of course committed Nova Scotia to the Confederation project was supported by Mr. Miller of Richmond, an independent member, who had previously been unfavorably disposed to the policy of Confederation. The resolution was endorsed by the Legislative Council by a vote of 30 to 5.

8. Owing to delays in Canada, the Conference of union delegates in London did not take place until the early winter of 1866. The Nova Scotia representatives were Tupper, Ritchie, Archibald, McCully and Henry. They were confronted by a counter delegation from their own Province, the so-called "people's delegates"—Messrs.

Howe, Annand and Hugh McDonald. To influence public opinion, and especially parliamentary votes, a regular warfare of pamphlets raged for a month or two with ever increasing violence. Meantime the union delegates worked away at the problem before them. The Quebec resolutions were amended by a moderate increase in provincial subsidies, and the guarantee of an Intercolonial Railway. A bill founded on these amended resolutions—the British North America Act—was introduced into the House of Lords on February 17, 1867, passed rapidly through both Houses of Parliament and received the Queen's assent on March 29th. It was to take effect on July 1, 1867, and in its provisions established federal union between the old Provinces of Upper and Lower Canada—henceforth Ontario and Quebec—Nova Scotia and New Brunswick, with provisions for the ultimate inclusion in the Dominion of Canada,—the generic title now adopted,—of Prince Edward Island, Newfoundland, British Columbia, Rupert's Land, and the vast territorial expanse of the Northwest.

To this transaction, immensely important as it was to British North America and to the Empire, it might seem unnecessary to make further reference in a narrative which is to reach its *terminus ad quem* in 1867. But Nova Scotia and Nova Scotians played so prominent a part in the series of events which made the period, 1864-7, a most memorable one in colonial annals, that a few paragraphs of non-controversial explanation and comment may be allowed.

When the scheme of union propounded at Quebec in 1864 first came before the people of Nova Scotia, the prospect of its popular endorsement and acceptance seemed good. It was not known just how far the leader of the government commanded the support of his followers in the bold venture, but the presumptions were all against any general desertion of a commander who had led his party from prostration and despair to victory and power. Any possible losses in that quarter would be more than made up. Almost all of the liberal chiefs,—Archibald, McCully, Creelman, Wier—were in the confederate ranks.

For a time there was not a rift in the lute. Then it began to be whispered that grave doubts had arisen in the mercantile and financial circles of Halifax, first as to the probable effect of union with Canada on the commercial interests of Nova Scotia, and secondly as to the justice and liberality of the financial terms accorded the Province in

the proposed scheme. A prominent merchant, a Liberal it is true, but a man of the highest independence of character, took his pencil in hand and ciphered out results that might well excite apprehension and call a halt. A meeting was summoned to consider these alarming figures. The hall was crowded to the doors, and the chair was occupied by one of the most prominent Conservatives in Halifax. The leader of the government soon knew that the merchants and bankers of the metropolis, irrespective of party affiliations, looked on the union proposition with suspicion and disfavor.

When the Quebec scheme was launched Mr. Howe was absent from Nova Scotia attending to his duties as Fishery Commissioner. In 1866 the Reciprocity Treaty expired by "efflux of time," and the commissionership expired with it. Expectation was agog as to what stand the veteran statesmen would take in the great question which had now begun to agitate Nova Scotia. Inquiry was soon set at rest by the appearance in the *Morning Cronicle* of the "Botheration Scheme" letters. With Joseph Howe in the field the various elements arranged against the scheme of Union could of course have no other leader. It is easy to impute motives, but it is criminal to assign bad ones unnecessarily. Why not judge our great fellow countryman, as we would wish to be judged ourselves? Why not assume that with the light he then had he felt it on the whole his duty to oppose the Quebec resolutions? Unquestionably when Mr. Howe took charge of the campaign against the Union movement, he had misgivings. He must have counted the cost. No one knew better than himself that his efforts to save Nova Scotia from injustice and spoilation would expose him to the charge of going back on his own record, and of thwarting the accomplishment of his own dreams. In the days of his golden prime he had forged weapons which the skilled gladiator against whom he was about to draw the sword would most certainly use against him. In the latter struggles for mere parliamentary ascendancy, when the main conflict was over, these weapons were not of much avail, but in the fight in the British arena their use was terribly effective. Mr. Howe's most ardent admirers admit that, however true his patriotism, however conscientious his conduct in opposing the Union project, his speeches and writings in that connection, as platform and literary efforts, diminished rather than increased, his previous reputation. Always able to invest small subjects with interest by his delightful play of humor and fancy, his

oratory rose in grandeur and elevation in proporation to the nobility of his subject. In comparison with his previous point of view, he had now obliged himself to look at everything through the wrong end of the telescope.

The consummation of Union was soon followed by elections held under the new constitutions of the Dominion and Province. For the Commons, Dr. Tupper carried Cumberland, but all the other constituencies returned Anti-Confederates. In the Local House, but two out of thirty-eight members, were supposed to be in sympathy with the cause of Union. These returns seemed to forebode ill results. A finally peaceful issue was assured as soon as the Anti-Confederates elected for the Commons were sworn in and took their seats. But the form of protest against, if not active resistance to, the new order of things was kept up. A delegation was sent to England to seek for repeal of the Union Act. Mr. Howe was a member of this memorialising body, but soon gave evidence of lessening interest in its operations. Returning home, and reaching the conclusion that after all Nova Scotia had not lost so much in conceding a few of her independent powers in exchange for obtaining a share in governing half a continent determined to relieve the impasse. He entered the McDonald ministry, and detached from their Anti-Confederate connection a large body of his influential friends.

His re-election in Hants County was vigorously contested, but he won handsomely. The change of front—if it can be called such—has been interpreted to Mr. Howe's prejudice, as an act of treachery to his party friends. In reality it proved his patriotism and self-denial.

For a short time a member of the Dominion cabinet, Joseph Howe returned to Nova Scotia to occupy for a few months the post of Lieutenant Governor of his native Province. His nominated, though not actual, successor in that distinguished position was James W. Johnstone.

The remarkable figure of Charles Tupper is destined to project itself forward into Canadian history for forty years after the death of his distinguished compatriots. He has already given proof of his great power of doing things; and when the history of Canada from Confederation to the close of the century shall come to be written it will be found that his career of achievement has been entirely unparalleled in the records of colonial statesmanship.

CHAPTER XVII.

CHURCH HISTORY.

The subjoined sketches of the historical development of the principal religious bodies in the Province, each contributed by a writer well qualified to represent his denomination, will, the compiler of this History believes, be found to be both interesting and valuable.

THE RISE AND DEVELOPMENT OF THE CHURCH OF ENGLAND IN NOVA SCOTIA.

By Rev. C. W. Vernon, M. A., B. D.,

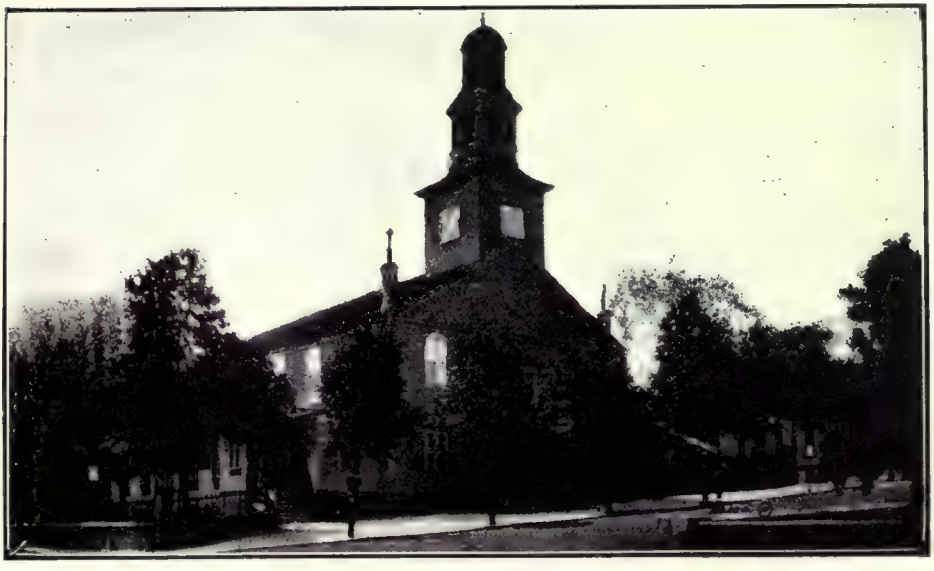
Honorary Canon of All Saints Cathedral, and Examining Chaplain to the Archbishop of Nova Scotia.

The facts that Nova Scotia witnessed the first continuous services in Canada according to the English rite, that it constitutes the oldest colonial diocese of the Anglican Communion, and that it has within its borders the oldest university of the overseas Domions of the British Empire, make the history of the Church of England in this Province one of peculiar interest.

The Province of Acadia claimed by England in virtue of Cabot's discovery in 1497, although it received its name of Nova Scotia from James I, in 1621, did not finally become known by this name until the capture of Port Royal by Col. Nicholson, which brought with it the possession of the Province and was commemorated by the change of the name of Port Royal to Annapolis Royal, in honor of Queen Anne. When the golden lilies were thus finally replaced by the cross-marked banner of England, the English Church came with the English soldiers, and the English settlers to minister to their spiritual needs. The Church of England in Canada, acting through its highest legislative body, the General Synod, decided that the two hundredth anniversary of the beginning of regular services should be fittingly commemorated. Accordingly All Saints Cathedral, Halifax, was opened in 1910, its formal opening being accompanied by a Canadian Church Congress and also by special gatherings at Windsor and Annapolis. These were attended by the Primate of Canada, Archbishop Matheson; the Bishop of London, the Bishop of Glasgow, Bishop Taylor Smith, Chaplain General of the British Army, many Canadian



OLD MEETING HOUSE—Erected 1765—Barrington, N. S.



ST. PAUL'S CHURCH, HALIFAX—Erected in 1750,
(Oldest Protestant Church in Canada).

and American Bishops and representative Churchmen from all parts of the world. St. Luke's Church, Annapolis Royal, was the fortunate recipient of a beautifully bound Prayer Book presented by His Majesty King George V.

Rev. John Harrison was appointed chaplain at Annapolis Royal and thus became the first clergyman of the Anglican Church to be stationed in this Province. He minstered both to the garrison and to the English residents of Annapolis Royal and its neighborhood. He was evidently a man of mark as he was chosen by Governor Phillips as one of the members of the first Council of the Province.

The attention of the Society for the Propagation of the Gospel, to which, under God, the Church of England in Nova Scotia owes so much, seems to have been directed at once to the spiritual and educational need of the new Province and at the annual meeting of the Society, February 20, 1712, it was decided that the Honorable General Francis Nicholson, then starting for America, Her Majesty's Governor of Nova Scotia, or Acadia, and of Annapolis Royal, within the same Province, should be appointed a deputation under the common seal of the Society to look after all the Society's missionaries, school masters and catechists, as also of the churches, glebes, parsonages and libraries sent by the Society in the plantations within the verge of his commission, with a salvo to the Queen's prerogative and the jurisdiction of the Lord Bishop of London, which at that time extended over all the colonies. General Nicholson himself is spoken of as a person "who has deserved well of the Society in his several stations, for his love to the ministry and for his laying the foundation of churches."

Halifax, the See city, of the Diocese of Nova Scotia, as well as capital of the Province, was founded in 1749, and with the first settlers, the S. P. G. at the request of the Lords of Trade and Plantations, who were not unmindful of the spiritual welfare of the colony they were founding, and proposed to set apart in each township a particular spot for a church, to grant 400 acres of land free from the payment of any quit rent to each minister and his successors, and two hundred acres for a schoolmaster, sent Revs. William Tutty and William Anwyl, and a schoolmaster. At first divine service was performed in the open air, and during the winter in the Governor's dining room, where the Holy Communion was first celebrated on Christmas Day, 1749, with thirty communicants. In the following year

St. Paul's Church was built at the expense of the Government, the frame and other material being brought from Boston. As the services at Annapolis Royal were for a long time held in the Old French chapel, St. Paul's Halifax, is thus the oldest church building, not only of the Church of England, but of any religious communion outside the Roman Catholic Church, in Canada. In 1750 the parish was organized by an act of the first House of Assembly of the Province, and was thus the first parish legally set apart in Canada.

In 1758 the first Assembly of the Province passed an act "for the establishment of religious public worship in this Province, and for suppressing popery." The preamble of this act states that "Forasmuch as His Majesty upon the settlement of the Province, was pleased in his pious concern for the advancement of God's glory, and the more decent celebration of the divine ordinances amongst us, to erect a church for religious worship, according to the usage of the Church of England; in humble imitation of his Royal example, and for the more effectual attainment of His Majesty's pious intentions, that we might in the exercise of religious duties, be seeking for the divine favour and protection, be it therefore enacted by his Excellency the Governor, Council and Assembly. That the sacred rites and ceremonies of divine worship, according to the liturgy of the Church established by the laws of England, shall be deemed the fixed form of worship amongst us, and the place wherein such liturgy shall be used, shall be respected and known by the name of the Church of England as by law established."

In addition to the English settlers, French, Swiss and German Protestants were brought out to Halifax. In the register of the first settlers we find the name of Jean Baptiste Moreau, gentleman and schoolmaster, who, it appears, had at one time been the prior of the Abbey of St. Matthew, near Brest in France. At the suggestion of Mr. Tutty he had been appointed missionary to the French speaking settlers, and when St. Paul's Church was opened in 1750 Mr. Tutty preached in the morning, while in the afternoon Mr. Moreau officiated for the French and Swiss settlers in their own language. For the benefit of the settlers of German origin, Mr. Tutty records having administered the Holy Sacrament in High Dutch on three several occasions. He had received great assistance in ministering to these people from a Mr. Berger, a German Swiss minister who had taken

great pains to reconcile the Germans to our liturgy, had translated the Communion service into German, and had taught Mr. Tutty to pronounce it intelligently. On the recommendation of Messrs. Tutty and Moreau Mr. Berger was ordained in England, and appointed the S. P. G. missionary to the Germans at Halifax, but apparently was lost at sea. Mr. Tutty also ministered occasionally to the settlers in Dartmouth.

In 1752 the S. P. G. appointed another missionary to the English of Nova Scotia in the person of Rev. John Breynton, who had been a chaplain on one of the English ships at the siege of Louisburg. Shortly after Breynton's arrival Mr. Tutty took a long-hoped-for trip to England, where he fell ill and died. To supply in some measure the loss caused by the death of this worthy missionary, the Society approved of the removal from New Brunswick in New Jersey to Halifax of the Rev. Thomas Wood, who previous to his ordination in 1749 had been surgeon of the Regiment of Kent, commanded by Capt. William Shirley, which was at Louisburg.

When in 1759 Halifax was formed into a parish, Governor Lawrence collated both Mr. Breynton and Mr. Wood to the benefice of St. Paul's Church, and gave directions for their being inducted "into the joint, real actual possession of the church, with all the rights, profits and appurtenances thereto belonging," upon the receipt of a memorial signed by the Council of Justices, and all the inhabitants of the town of Halifax. On October 10th the first vestry meeting was held when Rev. John Breynton, and Rev. Thomas Wood, vicar, nominated Richard Bulkeley, Esq., as churchwarden, and the parishioners then present made choice of William Nesbitt, Esq., for the other churchwarden. On January 4th. 1760, Governor Lawrence signed the deed of endowment of St. Paul's Church in which King George III is described as "the Royal Founder of the said church," and the said church spoken of as having become "a royal foundation and of exempt jurisdiction."

The Sunday school of St. Paul's Church, Halifax, was founded in 1783, eight years before the first Sunday school in the United States, and is the oldest Sunday school with a continuous history on the American Continent, and one of the oldest in the world.

St. Paul's Church, which has not inaptly been styled the Westminster Abbey of Nova Scotia, is of wood, and being of the well-known

Georgian style of architecture, has no pretentions to beauty,though it has a certain quiet dignity and stateliness of its own, the effect of which is heightened by the numerous mural tablets, memorials and hatchments placed upon its walls in memory of some of the leading citizens of the Province of bygone days.

Dr. Breynton did much faithful work in Halifax. The early records of St. Paul's Church are of great interest. They tell of the securing of an organ, of trials and tribulations respecting the musical part of the service, of the difficulty of heating the church and other subjects as familiar today as then. For a long while the church was not heated at all for service, even in the depth of winter, except by small foot stoves which the worshippers brought with them, which were either iron boxes filled with charcoal, or wooden ones filled with heated bricks. In reports to the S. P. G. Dr. Breynton speaks of infants having been brought as far as forty miles to Halifax for baptism.

The Rev Thomas Wood who has already been mentioned as stationed at St. Paul's with Dr. Breynton, was in many respects an able and remarkable man. He visited many parts of the Province (as did also Dr. Breynton), including East and West Falmouth, Cornwallis, Falkland, Granville and Annapolis. Finally he removed from Halifax to Annapolis where in addition to his labors among the English speaking settlers he devoted a great deal of time to learning the Micmac language in order that he might take up missionary work among the Indians of the Province. He was a very intimate friend of Mons. Maillard, a French priest and vicar general of Quebec; so intimate indeed that the day before his death he requested Mr. Wood to perform the office of the Visitation of the Sick in the French language in the presence of many of the French inhabitants. By order of Lieutenant-Governor Mons. Maillard, who had been a great missionary among the Indians, was buried in St. Paul's Churchyard, the English office of the Burial of the Dead being performed by Mr. Wood "in the presence of almost all the gentlemen of Halifax and a very numerous company of French and Indians." By 1767, Mr. Wood had progressed sufficiently in the study of Micmac to be able to read prayers to the Indians in their own language in St. Paul's Church in the presence of the Hon. Lord William Campbell and most of the officers of the army and navy and the inhabitants. At Annapolis

and at Granville through Mr. Wood's energy and zeal, coupled with a broad-minded charity, good congregations were built up, largely made up of New England settlers whom he was instrumental in reconciling to the church of their fathers. He died in 1778, and at the time of the bicentenary celebration a Celtic cross was erected over his grave at Annapolis Royal.

One of the most interesting chapters in the early history of the Church in Halifax is that which has to do with the little German congregation which ultimately became the present parish of St. George. In 1753 Rev. J. B. Moreau with a great number of French and Germans and some few English settlers embarked for Malagash Harbour where they built the town of Lunenburg. This left a small German congregation of some fifteen families in Halifax. They built a small house on the burial ground on Brunswick Street, where prayers were said every Sunday in German by their schoolmaster, the Holy Communion being occasionally administered to them by Dr. Breynton and Mr. Wood, with which good men they appeared to have always been on the most friendly terms. By 1760 their little church was so far finished that it was opened and set apart for its sacred purpose, being solemnly dedicated to the service of Almighty God on Easter Monday, March 23, 1761, by Mr. Breynton, in the presence of Governor Belcher and his staff. Tradition asserts that on this occasion Dr. Breynton preached to both English and German. Their much loved schoolmaster, John Godfreid Turpel, died in 1761. The hearts of the little German congregation at St. George's, as it had been called, were gladdened in 1785 by the coming to them of Rev. Michael Bernard Houseal, who had begun work as a minister of the Evangelical Lutheran Church; but at the time of the revolution came to Halifax and was led to seek ordination in the Church of England. He was succeeded in 1799 by Rev. George Wright, headmaster of the Halifax Grammar School. By this time the Germans had so intermixed and intermarried with the other inhabitants that few still retained their own language, and all could speak English much better than German. The present St. George's Church, often known as the Round Church, was built from designs suggested by the Duke of Kent, the corner stone being laid on April 10, 1800, by Sir John Wentworth.

Rev. J. B. Moreau, who with a large number of French and Ger-

mans and some few English had settled in 1753 at what is now called Lunenburg, at first officiated on the Parade in the open air, and had as many as two hundred regular communicants among the French and Germans. St. John's Church, Lunenburg, was built in 1754 at the expense of the government, the frame being brought from Boston in a man-of-war. It is thus the second Anglican church erected in Nova Scotia. For a while Rev. Mr. Vincent officiated at Lunenburg in addition to Mr. Moreau. In 1766 the Rev. Mr. Bryzelius, who was fully qualified to officiate in both English and German succeeded Mr. Vincent, who had died the previous year. He preached at Lunenburg for the first time on Whit-Sunday, when he introduced the use of the Church of England liturgy in the German language, and adminstered the Holy Communion to 158 persons. In 1770 Rev. J. B. Moreau who had ministered faithfully to the French congregation at Lunenburg, passed away, and was succeeded by Rev. Peter de la Roche. The Rev. Paulus Bryzelius died on Good Friday, 1773, being struck down with apoplexy while in the pulpit. Upon the death of Mr. Bryzelius the S. P. G. decided to discontinue maintaining a separate clergyman for the Germans at Lunenburg, it being thought that Mr. de la Roche, who had by this time acquired a competent knowledge of German, could easily minister to the spiritual needs of all the settlers, and the Society appointed him their missionary to the French, German and English at Lunenburg. When he arrived at Lunenburg, however, he found that some of the German settlers had become dissatisfied with their connection with the English Church, had built a Lutheran place of worship and had applied to Rev. Dr. Muhlenburg, president of the Lutheran Synod of Philadelphia, to send a Lutheran minister to Lunenburg. Dr. Muhlenburg discouraged the idea and recommended that the English Church which had so devotedly looked after their welfare from the first, should continue to minster to their religious wants. Today some of the strongest Anglican congregations of Nova Scotia are to be found in Lunenburg County, the sturdy German settlers and their descendants making in most cases the best and most devoted of churchmen.

The S. P. G. report for 1753 states that the Society had decided to appoint Rev. Mr. Bennet to the charge of Horton, Falmouth, Newport and Cornwallis, which places had previously been visited by Dr. Breynton, of St. Paul's, Halifax. In addition to these places Mr.

Bennet officiated at Fort Edward (now Windsor). In April, 1771, Mr. Bennet wrote "We have got a small chapel at Windsor, which answers for a church for me, for a meeting house whenever a dissenting minister happens to come this way in my absence, and for a school house on week days." In 1775 Mr. Bennet was appointed to an itinerant mission on the coast, and was succeeded by Rev. William Ellis. By 1785 Mr. Ellis was able to report that the church at Falmouth was finished. The church at Windsor which stood on what is known as the Old Parish Burying Ground, was erected during the year 1778-1790. By 1790 also a church had begun at Newport, which place with Rawdon and Douglas was in 1794 made a separate Mission under the charge of Rev. George Pidgeon, who, however, soon removed to Fredericton. In 1797 the Rev. William Colsell King was sent out as misionary to Douglas and Rawdon, and Newport was again attached to Windsor.

In 1779 a church was erected on the town plot of Cornwallis by Messrs. John Burbidge and William Best at their own expense. In October of that year Rev. Jacob Bailey, one of the best known of the Loyalist refugees, took up work at that place.

After the Declaration of Independence great numbers of those in what is now the United States who still remained loyal to the British Crown, sought refuge in that part of British America which had not revolted. Many of these exiled Loyalists came to Nova Scotia and by their coming brought new life to the infant church. Having in many cases sacrificed their all and undergone the greatest possible hardship from a firm principle of loyalty to church and state, which, in their eyes, were regarded as almost inseparably united, having many of them occupied the highest positions in their old home and being people of refinement and culture, their coming brought new blood of the very best quality. Wherever they settled in Halifax, Annapolis, Shelburne, Digby and elsewhere, they founded communities intensely loyal, alike to King and church, with high personal ideals, with courtly manners, with true culture, but withal, possibly a little too conservative in their outlook upon life and a little averse to experiments looking to progress. Their coming certainly led to the establishment of the Colonial Episcopate and of Britain's oldest colonial university.

Want of space makes it necessary to pass over the work of Rev.

Dr. Byles at Halifax, Rev. Jacob Bailey at Annapolis, Rev. William Wilten, Rev. W. Rowland at Shelburne, Rev. Roger Viets at Digby, Rev. R. Cassitt at Sydney, Rev. Peter de la Roche at Guysboro, Rev. John Eagleson in Cumberland, Rev. Thomas Shreve in Parrsboro, Rev. Thomas Lloyd in Chester, Rev. Joshua Wingate Weeks at Preston, Dartmouth and Lawrencetown, Rev. George Panton at Yarmouth, Rev. John Wiswell at Cornwallis, Wilmot and Aylesford, Rev. William Twining at Cornwallis, and other pioneers of the Church of England in various parts of Nova Scotia.

In view of the fact that the Church of England asserts in the preface of its ordination service that "It is evident unto all men diligently reading Holy Scripture and ancient authors, that from the Apostles' time there have been these orders of ministers in Christ's Church: Bishops, priests and deacons," it would seem that the church made a serious mistake in not providing from the first for the full ministry of the church in the various colonies of Great Britain. For no less a period than seventy-seven years the church in Nova Scotia was unable to give the rite of Confirmation before admitting its people to Communion, while had there been any candidates for Holy Orders it would have been necessary for them to take the then long, often perilous, journey to England to seek the laying-on of hands from their Diocesean, the Bishop of London. More than this the church inevitably suffered greatly from the lack of episcopal oversight. The arrival, therefore, of the Right Reverend Charles Inglis, D. D., first bishop of Nova Scotia, and first of the whole colonial Episcopate of the Anglican Communion, in Halifax on October 16, 1787, marked the beginning of a new and progressive era for the church in this Province.

In a sermon at Westminster Abbey Bishop Perry thus described his work, "Gathering his clergy together for counsel and personal knowledge the Bishop of Nova Scotia proved himself to be a missionary apostle by the wisdom of his charge and sermons, and the magnetism of his personal interest in each one who had been placed under him in the Lord. In long and most wearisome visitations he visited, as far as was in his power, the various portions of his almost illimitable See and until the close of a long and honored life he maintained that character for devotion, that reputation for holiness, that fervor of ministrations, that faithfulness in 'every good word and work,

which should characterise the good man, full of the Holy Ghost and of faith.' Nor was this all. Through his long and earnest labors, ended only when the summons came 'to depart and be at rest,' 'much people was added to the Lord.' A church was organized, a college was founded and built up to a measure of efficiency and success. The institutions of religion and learning were thus established and supported. The preaching of the Word and the ministration of the Sacraments were provided for the crowds of exiles, who in their devotion to church and state, had exchanged their American homes for the bleak shores of Nova Scotia and to the frontier settlers in the dense forests of New Brunswick and Quebec. Thus through unremitting labors, blessed by God, ere the life of the first colonial bishop was ended, there had been set on foot measures for the development of the Church of Christ in the northern potrion of the American continent which shall act and react for good till time shall be no more."

After an episcopate of 29 years, Nova Scotia's first Bishop died in 1816, and was buried beneath St. Paul's Church, in the chancel of which is a mural tablet to his memory.

Another important result of the coming of the Loyalists was the founding of the Academy (now King's College School) and King's College at Windsor. Both of these owe to a great measure their existence to the far-seeing wisdom of Bishop Charles Inglis. Both received much financial assistance from the Imperial and the Provincial governments.

After the death of Bishop Charles Inglis, on the recommendation of the House of Assembly, the Crown appointed their chaplain, Dr. Stanser, the rector of St. Paul's, to the vacant See. Unfortunately the new Bishop was in failing health, and was compelled to return to England almost at once for medical treatment. He never returned to Nova Scotia, nor did he resign the Bishopric until 1824, the Diocese being without a chief pastor for nearly eight years. In the meanwhile Dr. John Inglis, son of the first Bishop, had succeeded Dr. Stanser as rector of St. Paul's, and also acted as the Bishop's commissary.

Upon Bishop Stanser's resignation Dr. John Inglis was consecrated third Bishop of the Diocese, and arrived in Halifax in the autumn of 1825. Educated at the Collegiate School, Windsor, and at King's College, in its pre-charter days, having held the extensive

country mission of Aylesford, and then the rectorship of the largest and most important parish in the Diocese, he was in full sympathy and accord with Nova Scotian life and manners, and knew probably as well as any man living the varied needs of this vast Diocese. He was of courtly manners, of an imposing presence, well read, and most energetic and capable in his episcopal labors. During his first visitation in 1826 he visited not only Nova Scotia but New Brunswick, Prince Edward Island, Cape Breton and Bermuda, traveling over five thousand miles by land and sea, confirming 4,367 persons, consecrating 44 churches, and arranging for the erection of many more.

An important step was taken when, in 1837, the Diocesan Church Society, since succeeded by the Board of Home Missions, which in its turn has been followed by the Diocesan Mission Board, was founded for the following purposes: "The supply of books and tracts and missionary visits to destitute settlements, upholding the college at Windsor, assisting poor divinity students, aid to Sunday and other schools, encouragement in the instruction and training of respectable teachers, and the assistance to the erection or enlargement of churches or chapels."

By 1841 Bishop John Inglis could write "In the last fifteen years it has been my happiness to consecrate 118 churches and chapels. Many more are in progress." In 1845 the Diocese was reduced to its present size by the formation of the Diocese of Fredericton. In 1846 there were 58 clergy in the Diocese and a number of communicants is given as 3,238, three times the number recorded at the time Bishop Inglis came to take up his work. At a visitation held at Halifax in that year there were upwards of thirty clergy present, most of whom had been ordained by the Bishop, and 26 of whom had been educated at King's College. In 1849, while on a visit to Mahone Bay, the Bishop was stricken down with fever, from which he never fully recovered. Returning to England, he died at London on October 27, 1850.

In 1851 the Rev. Hibbert Binney, a son of a rector of St. George's, Sydney, in the Island of Cape Breton, who had been educated at King's College, London, and Worcester College, Oxford, was consecrated at Lambeth the fourth Bishop of Nova Scotia. He was a splendid scholar and an admirable organizer. In full sym-

pathy with the Oxford Movement, he did much to shape and develop the churchmanship of the Diocese. During his Episcopate the number of churches greatly increased and the newer churches were conspicuous for their more fitting and ecclesiastical style of architecture. Bishop Binney was unremitting in his labors, visiting every part of the Diocese, and proving himself a true friend and father in God to his clergy. He gave great attention to the improvement of the financial condition of the Diocese. Gathering the faithful laity about him, he secured the raising of the Church Endowment Fund of £30,000 to assist in the support of clergy in the poorer parishes. The widows and orphans of the clergy and the superannuation fund were also started. The income of the Diocesan Church Society, which on his arrival was less than $4,000 a year, had been raised to nearly $10,000 at the date of his death.

One of Bishop Binney's favorite projects was the erection of a fitting cathedral church for the Diocese. In 1865 the Dean and Chapter of the Cathedral were constituted under a royal mandate from Queen Victoria. The Robie Street site on which St. Stephen's, the Bishop's Chapel, formerly stood, was given by Judge Bliss, Dr. Binney's father-in-law, and the Bishop and his family contributed largely to the building fund then started.

In 1872 a Church Lay Association was organized in Halifax. In the following year its scope was enlarged, and it became the Church of England Institute, which has since played a considerable part in the church life of the city and diocese.

In spite of much opposition Bishop Binney succeeded in establishing the Diocesan Synod. In this matter, as in others, he lived to win the battle, and today churchmen of all schools of thought regard the Synod in which Bishop, clergy and laity meet together, to discuss plans for the well-being of the Diocese, as one of the most valuable features of church life in the Province. During Bishop Binney's episcopate the number of clergy increased from sixty to over one hundred. Preparations of an elaborate nature for the celebration of the centenary of the diocese were under way when the Bishop died suddenly in New York on April 30, 1887. The cornerstone of the Cathedral on which the Bishop's heart had been set, was laid on August 12, 1887, by Bishop Medley, Metropolitan of Canada.

The Right Reverend Frederick Courtney, D. D., became the fifth Bishop in 1888. He was the first to be consecrated in Canada, the service taking place in Halifax on St. Mark's Day, the consecrating Bishops being Bishop Medley of Fredericton, who was the Metropolitan of Canada; the Bishop of Ontario; the Bishop of Quebec; the Bishop of Maine, and the Bishop-Coadjutor of Fredericton. A brilliant orator, a most effective preacher, a sincere friend, a genial companion, but perhaps above all a broad and liberal thinker, he made a most valuable contribution to the life and development of the Diocese by widening the ecclesiastical outlook, by arousing interest in the great questions of the day, and by removing from the minds of many unfounded prejudices against the English Church. The loyalty to church and state of the old Loyalist parsons, the fervent zeal of those who had been touched by the spirit of the Evangelical Revival, the improved tone of churchmanship, with better buildings and more dignified and seemly services, brought by those under the influence of the Oxford Movement, all these exerted a helpful and beneficial effect upon the church in the Diocese. Bishop Courtney's great contribution was to show that these, especially the last two, were not contradictory but rather suplementary to one another. As a result party spirit is today conspicuous by its absence, and there is fortunately a manifest tendency to take a broader and more comprehensive view of many of the great questions of the day. In view of the fact that the tendency of thought in a Province like Nova Scotia, far removed, as it is, from the greater world centers of mental activity, if not carefully watched, is inevitably to become narrow, Dr. Courtney's contribution in widening the viewpoint of the Diocese cannot but be considered most valuable. An interesting feature of his episcopate was the establishment of Edgehill, the Church School for Girls at Windsor, which largely owing to the untiring zeal and sound common sense of the late Dr. H. Y. Hind, has done so much for the training of the daughters of church people. A number of Diocesan conferences were held during his episcopate, and met a need not fully covered by the Diocesan Synod. In 1904 Bishop Courtney, who found the stress of work in so large a Diocese too great a physical strain in view of his advancing years, resigned, and became rector of St. James Church, New York, in which city his magnificent preaching gifts found full opportunity for their fre-

quent exercise. He has taken a great interest in social questions and has been exceedingly prominent in the movement looking to the ultimate reunion of Christendom.

The sixth Bishop of the Diocese, the Right Reverend Clarendon Lamb Worrell, was consecrated on St. Luke's Day, 1904, in Christ Church Cathedral, Montreal, by Archbishop Bond, Metropolitan of Canada, assisted by the Archbishop of Rupertsland and the Bishops of Toronto, Quebec, Algoma, Ontario, and the Philippine Islands. His episcopate has already proved one of the most fruitful in the history of the Diocese. The establishment of the Diocesan Mission Board, with its systematic efforts to secure funds for the missionary work of the Church in the Home Diocese, in the Canadian West, and in the foreign field, has fully demonstrated his business ability and executive gifts. The board has been further aided by the establishment of the Diocesan Woman's Auxiliary with branches in every progressive parish, enabling the women of the church to take an active and practical interest in its missionary work.

Although the oldest colonial See, the Diocese had no cathedral, the wooden parish church of St. Luke, Halifax, serving as a pro-Cathedral until its destruction by fire in 1905 afforded an opportunity to the Bishop to revive and press on to completion Bishop Binney's plan which had long remained dormant for an adequate cathedral. Plans were secured from Cram, Goodhue & Ferguson, the well-known church architects of New York, and the chancel and transepts, and six bays of the nave have been built, the great tower not being carried much above the apex of the roof. The Cathedral was opened on September 3, 1910, when there was a representative attendance of bishops, clergy and laity not only from all parts of Canada, but from England, Scotland and the United States, the guest of honor being the Right Reverend Winnington Ingram, Lord Bishop of London. The opening of the Cathedral formed a fitting celebration of the bicentenary of the Church of England in Canada, and was followed by a Canadian Church Congress taken part in by leading speakers, writers and thinkers of the Anglican Communion from all parts of the world.

On Feruary 10, 1915, the sterling worth and executive ability of Bishop Worrell was fittingly recognized by his fellow Bishops of the ecclesiastical Province of Canada, who then elected him their

Metropolitan, a position which carries with it the honored and historic title of Archbishop.

The Church of England in Nova Scotia has still much to accomplish. The supply of candidates for the ministry afforded by the Diocese itself needs to be greatly increased; the stipends of the clergy, especially in the scattered and extensive missions of the Diocese substantially enlarged; a greater spirit of missionary zeal aroused; a more extended study of the church's historic position and a greater recognition of the responsibility which this position entails secured; the Cathedral completed and the Cathedral system by the endowment of canonries made a more potent factor in the life of the Diocese; King's College placed on a really satisfactory financial basis; a wider interest in the great social questions of the day, in town and country parish alike developed. The problems indeed are many and the demands great, but the Diocese can face them all with confidence in God, a hopeful outlook for the days that are yet to be, and a firm determination to be at once loyal to her great heritage, and fully conscious of the call of the present age to the Church of England to be a living church with a living message to living men.

THE ROMAN CATHOLIC CHURCH.

The Arch Diocese of Halifax.

(Reproduced by permission from the Catholic Encyclopedia.)

(J. A. C.)

HALIFAX. Archdiocese of (Halifaxiensis).—This See takes its name from the City of Halifax which has been the seat of government in Nova Scotia since its foundation by Lord Cornwallis in 1749. The archdiocese includes the middle and western counties of the Province (Halifax, Lunenburg, Queens, Shelburne, Yarmouth, Digby, Annapolis, Kings, Hants, Cumberland and Colchester), and the British colony Bermuda. The island last mentioned has been attached to the archdiocese since 1851. It has a population of about 16,000, of whom about 700 are Catholics. The majority of these are Portuguese or of Portuguese extraction. Bermuda has one resident priest. There is a convent school at Hamilton, the capital of Bermuda, which is in charge of the Sisters of Charity. The portion of

the archdiocese which lies within the Province of Nova Scotia had at the last federal census (1901) a Catholic population of 54,301. Of this number about forty per cent are descendants of the early French settlers; they reside principally in the Counties of Yarmouth, and Digby, at Chezzetcook in the County of Halifax, and in portions of Cumberland County. At Church Point, Digby County, is St. Anne's College, which is devoted to the education of the French Acadian youth. It is conducted by the Eudist Fathers. Within the archdiocese is Port Royal, now known as Annapolis. It was founded by De Monts in 1604, and, with the exception of the early Spanish settlements in Florida, it is the oldest European settlement in North America. With De Monts came Rev. Nicholas Aubry and another priest, and at Port Royal in that year the Holy Sacrifice was offered up by them for the first time on what is now Canadian soil. From the founding of Port Royal down to the time of the cruel expulsion of the Acadians in 1755, the Catholic missionaries who labored in Nova Scotia, or Acadia as it was then called, came from France. Some of the early priests were Jesuits. After the colony had been temporarily broken up by Argall in 1613, the Recollect Fathers arrived, and, besides attending to the spiritual wants of the French settlers, they labored with great success in converting the Micmacs, the native Indians of Nova Scotia. In 1632 Capuchin Friars of the Province of Paris were sent to Acadia, and were still at work among the Indians in 1655. One of the most famous of the French missionaries was Abbe Antoine-Simon Maillard, who left France in 1741. He acquired great influence over the Indians, to whom he ministered with devoted zeal. He was taken prisoner by the English, but on account of the favor with which he was regarded by the Micmacs he was not expelled. His aid was invoked in making treaty arrangements with the natives. In 1760 he was made administrator of Acadia. He carried on his missionary labors down to the time of his death in 1762. He was highly esteemed by the civil authorities, and his name is held in great veneration by the Micmacs to this day.

A Legislature was established in Nova Scotia in 1758 and severe laws directed against the Catholics were passed without delay. A Catholic was not allowed to hold land except by grant direct from the Crown, and Catholic priests were ordered to depart from the

Province by a given date. These disabilities continued for upwards of twenty years. In the meantime there was considerable Irish immigration, and in 1783 the Irish Catholics of Halifax petitioned for the removal of the disabilities, and the obnoxious laws were then repealed. Two years later, Rev. James Jones, of the Order of Capuchins, came to assume spiritual charge of the Catholics of Halifax, and he remained for fifteen years. Other Irish priests followed. A noted missionary was the Abbe Sigogne, who arrived in Nova Scotia in 1797, and continued his work among the Catholics of western Nova Scotia until his death in 1844. He became the leader and adviser of the Acadians in civil as well as in religious matters, and he was unceasing in his efforts to promote the welfare of the French population. He also cared for the Micmacs, whose language he spoke with ease. He held a commission of the peace from the government.

In 1801 Father Edmund Burke left Quebec to enter upon his useful work in Halifax, which at that time formed part of the Diocese of Quebec and so remained until it was made a vicariate in 1817. Father Burke was consecrated Vicar Apostolic of Nova Scotia in 1818 and filled the office until his death in 1820. It was not until 1827 that his successor, Rt. Rev. William Fraser, was appointed. The vicariate was erected into a diocese February 15, 1842, and was called the Diocese of Halifax. It included the whole of Nova Scotia. In 1844 the Diocese was divided; Bishop Fraser became Bishop of the new Diocese of Arichat; and Bishop William Walsh, who had been Bishop Fraser's coadjutor, "with the right of succession," became Bishop of Halifax. In 1852 Halifax was made an archdiocese. Archbishop Walsh administered the affairs of his See until his death in 1858. He was scholarly and devout, and although at that time the feeling between Protestants and Catholics was occasionally somewhat bitter, the "British Colonist," a newspaper owned and edited by Protestants, said of him at his death: "The Archbishop was distinguished for his attainments as a scholar and a divine. In society the courtesy and affability of his manners and his conversational powers made his intercourse agreeable and instructive."

The second Archbishop of Halifax was the Most Rev. Thomas Louis Connolly, who was consecrated in 1859, and died in 1876.

Like his predecessor, he was a native of Ireland. He was ordained at Lyons, France, in 1838. In 1842 he came to Nova Scotia as Secretary to Bishop Walsh. In 1852 he was appointed Bishop of St. John, N. B., and in 1859 was transferred to Halifax. Of Archbishop Connolly, Mr. Nicholas Flood Davin, a non-Catholic, wrote: "He belonged to the great class of prelates who have been not merely churchmen, but also sagacious, far-seeing politicians and large-hearted men, with admiration for all that is good, and a divine superiority to the littleness which thinks everybody else wrong." By his tact he soon removed the ill-feeling that had existed between Catholics and Protestants in Nova Scotia. He took a great interest in public affairs. He was strongly opposed to Fenianism, and was a warm advocate of the Confederation of the British North American Provinces. At the Vatican Council he was a prominent figure, and, while opposed to the declaration of the dogma of infallibility, he loyally accepted it as soon as it had been declared. During his administration St. Mary's Cathedral, a beautiful edifice, was modernized and completed. When he died the Rev. Principal Grant, one of the most noted Presbyterian divines in Canada, wrote: "I feel as if I had not only lost a friend, but as if Canada had lost a patriot; for in all his big-hearted Irish fashion he was ever at heart a true Canadian."

The Most Rev. Michael Hannan succeeded Archbishop Connolly. He was a native of Limerick, and was ordained priest in 1845. In May, 1877, he was consecrated Archbishop, and he died in 1882. He was a prelate of calm and sound judgment, and was greatly beloved by all classes.

The Most Rev. Cornelius O'Brien, the fourth Archbishop of Halifax, was consecrated 21st of January, 1883; died 9th of March, 1906. Archbishop O'Brien was a native of Prince Edward Island. He was a distinguished scholar, and as a preacher, historian, novelist and poet, he displayed a versatility rarely found in combination. In his Lenten pastorals he not only gave excellent explanations of Catholic doctrines, but he made unanswerable attacks upon the theological and scientific errors of his time. His funeral sermon on the Rt. Hon. Sir John Thompson, the first Catholic Prime Minister of Canada, is a model of dignified pulpit eloquence. He was, besides, a prelate of rare executive ability, as the numerous charitable

institutions that owe their foundation to his zeal bear ample witness. In political matters he was a strong imperialist.

Archbishop O'Brien's successor is the Most Rev. Edward J. McCarthy, a native of Halifax, who was consecrated 9th of September, 1906. He is noted for his zeal, industry and courtesy, and is held in high esteem by all classes.

There are seventy-three priests in the archdiocese and ninety-six churches. Among the educational institutions are: St. Anne's College, already mentioned; St. Mary's College, Halifax; Holy Heart Seminary, Halifax, in charge of the Eudist Fathers; the Sacred Heart Academy, Halifax, an institution conducted by the Religious of the Sacred Heart; and the Academy of Mount St. Vincent at Rockingham, a successful institution in charge of the Sisters of Charity.

THE DIOCESE OF ANTIGONISH.

(D. C. G.)

The Diocese of Antigonish is made up of the Island of Cape Breton and the three eastern counties of Nova Scotia proper. The history of the Catholic Church in the territory that it embraces does not contain many authentic details before the founding of Louisburg. Prior to that event, the eastern part of the Province received little development; but the early missionaries, who naturally had their headquarters at Port Royal, could easily reach the roving Micmacs from that centre. The Capuchins, in particular, did great work from 1632 until their missions were overwhelmed, in 1654, by the Cromwellian invasion.

During this period, and for some time beyond it, the Jesuits displayed considerable activity among the savages in the northerly regions of Acadie. From 1629 to 1640 they had an outpost at St. Ann's, in the Island of Cape Breton, and thereafter operated westward from Miscou, on the northern coast of New Brunswick. Father Martin Lyonne went to Chedaubouctо (Guysboro) in 1657, and died there, in the beginning of 1661, from an attack of scurvy. His task was taken up by Father André Richard, but he returned to France shortly after. Then, owing to the English domination, the Acadian missions were abandoned until some years after the Treaty of Breda.

As a matter of fact, very little missionary activity took place

within the limits of the Diocese for over half a century. The Penitent Fathers, of the Province of Normandy, were at Chedaubouctо for a few years before 1690, the date at which the fishing establishment there was destroyed by Sir William Phips. Subsequent to that date, nothing of importance occurred until after the Treaty of Utretcht, when the French turned their attention to Capt Breton. In 1715, Louisburg was founded, and soon after the Recollets were sent to look after its spiritual interests. The Brothers of Charity had charge of its hospital, and the Sisters of the Congregation of Notre Dame established a school in the city for the education of girls.

The Recollets belonged to the Province of Paris and that of Bretagne, but were subject to the Bishop of Quebec. Their primary aim was to supply the religious wants of Louisburg, but they extended their ministrations to Cape Breton and even to Prince Edward Island. It was soon found, however, that it was a mistake to have two branches of the same order working together, and so, in 1731, the Recollets of Paris were withdrawn. Even then the Bishop was far from satisfied with those that remained, and several times had it in mind to supplant them by secular clergy. In 1740, the great Indian missionary, Abbé Maillard, was made vicar-general of Louisburg, but that did not mend matters, and a remedy was in contemplation when the fortress was finally captured and demolished by the English.

After the second fall of Louisburg, Maillard was the only Catholic priest allowed to remain in the Province. He had done missionary work among the Micmacs for nearly a quarter of a century, and did much to translate into their language prayers, hymns and catechetical instruction. He had acquired great influence over them. The government at Halifax, realizing this, decided to seek his support in keeping the savages in order. He went to Halifax, accordingly, in 1759, and from that date till his death, in 1768, he was permitted to minister to the Acadians as well as to the Micmacs.

Maillard was a god-send to the few Acadians left in Nova Scotia after the terrible disaster that had come upon them in 1755. Those that were scattered, however, sighed for their old homes in Acadia, where

> "Each haunt of boyhood's loves and dreams
> More beautiful in fancy seemed."

Hence some of them soon began to make their way back to the Province, not to the rich lands along the Bay of Fundy, where their former homes had been, but to more secluded localities, where they hoped to escape molestation. Thus, in 1768, a group of them came to Arichat from St. Pierre and Miquelon, and others settled at Hâvre-au-Boucher, Tracadie, Pomquet and Cheticamp, some years before a number of soldiers, of the Nova Scotia Regiment, received a grant of land, in 1784, at Antigonish Harbour.

The Acadians were gradually returning to other parts of the Maritime Provinces as well, and, though few in number, it was impossible for the Bishop of Quebec to make adequate provision for them. The Recollets and the Jesuits were not permitted to remain in Canada after its final conquest by the English; nor were priests from France allowed to enter the colony. Nevertheless, the outlying missions were not neglected. At the request of the government at Halifax, Father Bailey immediately succeeded Maillard, and, in 1760, was joined by Father De la Brosse; but they did not remain long at their post. Father Bourg, however, continued their work. He was the first Acadian to enter the priesthood. Shortly after his ordination, in 1672, he was sent to the Maritime Provinces and created vicar-general. He laboured for years among his own people as well as among the Micmacs, whose language he thoroughly understood.

The lack of missionaries continued to be a source of anxiety to the Bishop of Quebec. He succeeded, however, in obtaining several priests from Ireland, and these were supplemented later on by others who were driven from France by the Revolution. Father Jones came to Nova Scotia from Cork, in 1785, and two years later was appointed superior of the missions in the Maritime Provinces and the Magdalen Islands. In 1792, he placed Father Lejamtel in charge of Arichat, in succession to Father William Phalen, who had occupied that post for a couple of years. Seven years later, in 1799, Father Champion became the first resident priest at Cheticamp. In 1790, there were 28 families of Scottish Catholics at Merigomish and 8 at Pictou, whilst there were 26 Acadian families at Cheticamp, 30 on the shores of St. George's Bay—at Tracadie, etc., and, five years earlier, 140 at Arichat and its environments, in addition to a considerable number of Irish people.

Soon the Catholics, within the limits of the Diocese of Antigonish,

were destined to increase rapidly. The Scottish Highlanders came in large numbers, driven from their native glens by rapacious landlords. They usually landed at Pictou, and Catholics and Protestants, for the most part, settled in different localities. From 1785 onwards, the Catholics began first to settle at Merigomish, then along the Gulf shore, and thence to Cape Breton. Their first church was built at Arisaig in 1792, and Father James McDonald, who had come from Scotland the previous year, was placed in charge of it. After a short period, failing health compelled him to retire, and thereafter until his successor, Father Alexander McDonald, arrived at the beginning of the last century, that glorious missionary, Father McEachern of Prince Edward Island, paid occasional visits to the Scottish Catholics in eastern Nova Scotia and Cape Breton.

In 1812, Bishop Plessis of Quebec made a pastoral visit to the Maritime Provinces. He reports that from Merigomish, along the Gulf Shore, and thence to the town of Antigonish, which was beginning to form in 1801, there were 350 families of Catholic Highlanders, and 200 more along the western coast of Cape Breton; there were 30 Acadian families at Harbour-au-Boucher, 43 at Tracadie and another group at Pomquet. During a second visit three years later, he found small groups of Catholics from Louisburg to Sydney, and thence to Little Bras d'Or, where there were from 25 to 30 Acadian families; at Christmas Island there were not less than 100 families of Catholic Highlanders, and at Arichat there were over 1100 communicants. Of course, the Catholics were not all enumerated by Plessis. Even at the time of his first visit, the Highlanders were establishing themselves at East Bay, and had penetrated the "forest primeval" of the Antigonish district, especially along the South River.

But missionaries were distressingly few. In 1812, there was only one priest stationed in the whole of Cape Breton—the valiant Lejamtel. Champion and Allain had been at Cheticamp, but they were now dead. On the mainland Abbé Pichard was at Tracadie, and Fathers Alexander McDonald and Alexander McDonell were at Arisaig. Soon, however, two others arrived from Quebec, one of whom, Abbé Gaulin, was the first pastor of Antigonish; and two more from Scotland. Father James Grant (an Irishman) took charge

of Guysboro in 1819, and the following year Father Dollard went to eastern Cape Breton, where, by means of his Irish gaelic, he easily administered to the Highlanders. Finally, the saintly Father Vincent, another refugee of the French Revolution, came to Tracadie, in 1818, and six years later founded the Monastery of Petit Clairvaux at that place. He was most active in promoting the spiritual interests of the Catholics in the easterly portions of the Province.

In 1801, Father Edmund Burke came to Halifax and took the place of Jones, who had gone to the United States and never returned. In 1817, the Province of Nova Scotia was constituted a Vicariate, and Burke became its first bishop. In 1820, he died, and Father Carroll of Halifax was appointed administrator. Carroll occupied this post till 1827, when Father William Fraser was consecrated at Antigonish and assumed control. Fraser had come from Scotland, in 1822, and worked a year in eastern Cape Berton, in succession to Dollard. After his consecration he resided at Antigonish. In 1842, the Vicariate was made a Diocese, and Mgr. Walsh of Dublin was appointed co-adjutor, with the right of succession. The Diocese was divided, however, in 1844, and Mgr. Fraser became the first Bishop of Arichat. In the fall of 1851 he died; and on February 27, 1852, Dr. McKinnon was consecrated and became his successor.

Bishop Fraser was a man of unusual strength and energy, and though past his prime when he came to Nova Scotia, his missionary activity was extraordinary. As an administrator he was less successful, and on this score had to suffer some criticism towards the close of his career. The great desideratum was education, and he did not see his way clear, owing to the poverty of his people, to solve that problem. The solution of it, accordingly, fell to the lot of his successor. In 1838, Dr. McKinnon, a year after his return from the Urban College, Rome, established a grammar school at St. Andrew's; in 1853, he opened a higher seat of learning at Arichat, which he transferred to Antigonish, in 1855, and named St. Francis Xavier's College.

Meanwhile the population of the Diocese was rapidly increasing. Within its limits, according to the census of 1851, the Catholics numbered 46,167. Nine years later, their number was estimated by Bishop McKinnon at 50,000. They were scattered over 24 parishes, to which were attached 43 missions. They were attended by 26

priests, seventeen of whom were natives of the Diocese. The Cathedral was begun in 1866, and completed in 1874, at a cost of about $100,000.

Failing health compelled Bishop McKinnon to look for a co-adjutor in 1870, and his choice fell on Dr. John Cameron, a man of scholarly attainments and princely personality. The co-adjutor continued to reside at Arichat, where since 1863 he had been pastor. Bishop McKinnon remained in authority till 1877, when he resigned and received the title of Archbishop of Amydo. He died two years after at the age of 69. He was born at William's Point, in the County of Antigonish. He went to the Urban College, Rome, in 1828, and returning thence nine years later, was placed in charge of St. Andrew's. He was a man of singular piety and brimful of zeal for all that is great and noble.

In 1877, Bishop Cameron took charge of the Diocese of Arichat. He was born in 1827, at South River, Antigonish County. In 1844, he was sent to the Urban College, where he graduated with honours, ten years later. Then, having returned to Nova Scotia, he was appointed pastor of Antigonish, and was at the same time a professor in St. Francis Xavier's College as well as its rector, until 1863, when he was transferred to Arichat. In 1880, he made Antigonish his residence, and six years later the Diocese received its present name accordingly. After his death, which occurred on the 6th of April, 1910, there was an interregnum, during which Rev. Dr. H. P. MacPherson was administrator, until September 4, 1912, when the present Bishop of the Diocese, Rt. Rev. James Morrison, was consecrated.

Since 1870 the Diocese has made marked progress, especially in educational facilities. In 1871, the Catholics numbered 62,853, and twenty years later they increased to 73,500. During recent years, increase of population has been somewhat retarded, owing to emigration to the West and to the United States; nevertheless, the Catholics at the present time are in the neighbourhood of 80,000. Of late St. Francis Xavier's College, to which Mt. St. Bernard, an academy for young ladies is affiliated, has made marked progress. The Sisters of Notre Dame, who are in charge of the Academy, just mentioned, have eight other convents within the Diocese; the Sisters of Charity, six; the Daughters of Jesus, lately come from France, four; the Sisters of St. Martha, one. The Trappists, at Petit Clairvaux, Tracadie, are the only religious order of men.

SKETCH OF THE PRESBYTERIAN CHURCH IN NOVA SCOTIA.

(J. F.)

When Nova Scotia was handed over to Great Britain by Treaty of Utrecht in 1713 efforts were made to induce settlers to come from Europe and from the older Provinces to occupy the newly acquired territory.

Roughly speaking, the western part of the Province was settled from New England. A body of Germans, Swiss and French occupied Lunenburg while Halifax was occupied by the Cornwallis settlers and a number of people from New England. About the same time a body of immigrants from the North of Ireland settled in Colchester, East Hants and East Halifax. Pictou, Antigonish and Cape Breton were occupied by Scotch Highlanders. The districts and their inhabitants were not clearly defined. Settlers of different nationalities were scattered through the various localities but in the main the distribution of population given is correct. Communication between the different settlements was very restricted and as a consequence each district maintained its own individuality for quite a length of time. In almost every settlement there was a considerable number of Presbyterians. All of them endeavored to get ministers from the countries from which they came and consequently four or five churches started at nearly the same time. Each church represented some division of the great Presbyterian denomination in the land from which the settlers came. There were Burghers and Anti-Burghers and Kirkmen from Scotland, Presbyterians from New England and Calvinists from Germany and other parts of Europe so that the Presbyterian Church was not a representative of any old country denomination but a collection of half a dozen churches, which at first fought hard to maintain their sectarian peculiarities, and then as common sense and Christian principle triumphed, formed one union after another until they all became one denomination.

St. Matthew's Church or Mather's Church, Halifax, was the first Presbyterian congregation organized in Nova Scotia. It was made up of Presbyterians from the old country and Presbyterians and Congregationalists from New England. For many years there was quite a struggle between the two elements but in 1787 a treaty of peace was drawn up. It was in the form of a compromise. The

Congregationalists insisted on the use of Watts Hymns and the Presbyterians demanded a minister from Scotland. Both demands were agreed to and from that date St. Matthew's has been a distinctively Presbyterian congregation.

On the 12th of April, 1750, less than a year after Cornwallis had landed, a correspondent of the Boston *Weekly News Letter* wrote from Halifax as follows:

"Everything goes on with great despatch; and whilst the closest application is made to civil concerns religion is not unthought of; we shall soon have a large church erected, and for the encouragement of Protestant Dissenters a handsome lot is laid out for a meeting house and another for a minister in a very pleasant situation."

The first minister of St. Matthew's was the Rev. Aaron Cleveland, the great-grandfather of President Cleveland of the United States.

The history of these early years as gathered from existing letters is intensely interesting. St. Paul's and St. Matthew's grew up side by side, living together in the most harmonious manner as they have continued to do up to the present time. In 1787 the Rev. Andrew Brown, D. D., was called from Scotland. Dr. Brown was one of the ablest men who came to Nova Scotia. While here he was a leader in intellectual and social as well as ecclesiastical affairs. He was a man of great tact as well as ability. Under his able ministrations the congregation became thoroughly united and although his stay was short his work has told on the congregation and we think we may say, on the community ever since. He was called away to a chair in the University of Edinburgh.

The cry for ministers brought help from other quarters about the same time. Rev. James Lyon came from New Jersey in 1764 and Rev. James Murdock from Ireland in 1766. Both of these men labored for some time in Halifax but practically the whole centre of the Province formed their congregations. Murdock made Horton his headquarters but he travelled all over the land ministering to the little bodies of people in the widely separated and sparsely settled communities of Kings, Hants and Halifax.

In 1752 Lunenburg was settled by the Germans, Swiss and French who were brought to the Province through the instrumentality of John Dick, agent of the Lords of Trade. The government built

them a church and provided for them a minister and quite a large number of them joined the Episcopal Church but many of them were too strongly attached to the churches of their fathers and a Lutheran and a Reformed congregation were organized. The Reformed or Calvinistic Church applied to Germany and to the Church of Pennsylvania but failed to secure a minister. After waiting for seventeen years they determined to select one of their own number and have him ordained. They chose Bruin Romkes Comingoe, a native of Leewarden, Holland, who had been employed for some time as a fisherman in Lunenburg. He was a man of great natural ability, of unblemished character and well versed in the Scriptures but he had received no college training for the ministry. Having made their choice they applied to Messrs. Lyon and Murdock and also to two Congregational ministers, Rev. Messrs. Seccombe and Phelps, asking them to unite in ordaining Mr. Comingoe. They all consented and on the 3rd of July, 1770, they met as a Presbytery in Mather's Church, Halifax. They first drew up a statement narrating the steps that had been taken giving their reasons for the course they were taking and then solemnly ordained Mr. Comingoe to the pastoral charge of the Lunenburg congregation. This was the first Presbytery that ever met in Canada as well as the first ordination of a Protestant minister. Lord William Campbell, the Governor of the Province, and several members of His Majesty's Council were present. The formula of questions used seems to have been drawn up for the occasion. They were as follows:

1. Do you believe the Scriptures of the Old and New Testaments and the Truths therein contained to be the word of God?

2. Do you own and will you adhere to the Confession of Faith which you have made us: The Heidelburg and Assembly's Catechisms, and the doctrines therein contained, as being founded on and consonant to the Holy Scriptures?

3. Will you by the Grace of God be faithful and zealous in maintaining the Truths of the Gospel, the Unity of the Church and Peace thereof against all opposition you may meet with?

4. Do you likewise own and will you adhere to the worship, discipline and government of the Reformed Presbyterian Churches, as being founded on and agreeable to the Scriptures?

5, 6, 7, 8, refer to his own life and the discharge of his duties.

Finally, Do you own and promise allegiance to His Majesty, King George the Third, in all things civil and lawful?

Thus ordained Mr. Comingoe returned to Lunenburg, where he laboured most faithfully as pastor of the Reformed Congregation for half a century. His letters and sermons which are still preserved show that he was a most diligent student, giving great attention to the preparation of his discourses, a faithful preacher, model pastor and a good citizen. He died in 1820, in the fiftieth year of his ministry and the ninety-sixth of his age. The influence of his life and labors is still felt in the county of Lunenburg.

In the same year in which Comingoe was ordained, Rev. Daniel Cock came from the Burgher Synod in Scotland and settled in Truro. He was followed the next year by the Rev. Daniel Smith from the same Synod. The Rev. Hugh Graham arrived in 1785. The Rev. George Gilmore came from Ireland to America just before the outbreak of the Revolution. He was ordained in Boston and settled in Connecticut. Being a Loyalist he was compelled to leave the revolting colonies and arrived in Nova Scotia in 1784. These four ministers, with two elders, James Johnston and John Barnhill, met in Truro in 1886 and formed what was called the Associate or Burgher Presbytery of Truro.

At this meeting the Rev. James MacGregor was present. He came from the Anti-Burgher or General Associate Synod of Scotland in 1786 and proceeded to Pictou. This was for forty-five years the field of his truly Apostolic labors. He was joined in 1795 by the Rev. Duncan Ross ad the Rev. John Brown. When these two laborers arrived they formed the Presbytery of Pictou, which met for the first time on the 7th of July, 1795. Early in November, 1803, there arrived another minister from Scotland, the Rev. Thomas McCulloch. He was settled on the 6th of June, 1804, in the town of Pictou. Probably no two men who ever came to Nova Scotia exercised a wider influence upon it than James MacGregor and Thomas McCulloch. They were different in many respects, but both were undoubtedly great men, fired with truly Apostolic zeal, ready to endure any hardship, spending their lives in devotion to the interests of their adopted country.

Shortly after the organization of the Pictou Presbytery proposals were made to it by the Presbytery of Truro looking forward

to union, but so strong and narrow were the prejudices brought over from Scotland that it took twenty years before they could be removed. At last Christian principles and Bible teaching got the better of old country prejudices and the first union took place on the 3rd of July, 1817. The Synod of the Presbyterian Church of Nova Scotia was organized consisting of the three Presbyteries of Truro, Pictou and Halifax. When this Synod was organized there were only a very few ministers of the Church of Scotland in Nova Scotia but during the next sixteen years the Glasgow Colonial Society sent out a number of men. They brought with them a fresh importation of Scotch prejudices and as a result the Synod of Nova Scotia in connection with the Church of Scotland was organized on the 30th of August, 1833. Ten years later the disruption took place in Scotland and the Free Church of Nova Scotia was formed. The bitter controversies of the old land had all to be repeated in our own Province and for twenty years longer the absurd divisions continued. At length the era of common sense began. In 1860 the Presbyterian Church of Nova Scotia and the Free Church united and in 1865 were joined by the Presbyterian Church of New Brunswick. In 1875 the whole of the Presbyterian Churches of Canada united under the name of the Presbyterian Church of Canada and have since been able to do a work for Christ and the world they could never have accomplished in a divided state.

All of the churches in Nova Scotia did good work. It could not be otherwise. They all took the Divine Master as their model and the Good Book as the text of their teaching and it was not possible but that they should exercise an elevating, enlightening and purifying influence on any community in which they worked.

We do not think it is too much to claim for the Presbyterian Church that it has always taken a leading part in everything connected with the welfare of Canada and from a very early period in its history a deep interest in promoting the cause of Christ in the heathen world.

At the very outset its ministers took an active part in the cause of education. They were just as active in establishing schools as they were in building churches. The early settlers of Lunenburg County were men of intelligence and education. Indeed it is doubtful if a better class of immigrants ever came to Canada. But they spoke a

foreign tongue which separated them from the rest of the community. It was very difficult for them to secure teachers or to establish schools and although the ministers of the different denominations did what they could, still the people went backward and the children and grandchildren of the first settlers fell far behind their fathers in both education and intelligence. Bilingualism was certainly not a success.

In the east of the Province things were different. Thomas McCulloch came to Pictou in 1803. He was a devoted student and a most successful scholar. He had no sooner arrived in the country than he took in the whole situation. He saw that if the Province was ever to develop and amount to anything it must have a liberal system of education. The very year after he arrived he started the idea of founding an academy at Pictou for the purpose of giving instruction in the higher branches of education. King's College at Windsor was under the control of one denomination. In this age we can scarcely understand the narrow sectarianism that governed it. Its friends controlled the government as well as the College and when McCulloch succeeded first in establishing an excellent school and then in 1816 securing a charter for his Academy, the friends of the Windsor College did everything in their power to destroy the young institution, and to frustrate the efforts of the great man, who certainly was one of the most enlightened educationists that Nova Scotia ever possessed. This struggle for the Academy drew his attention to the political condition of our Province and in a paper published in Pictou at that time, he laid down the principles of popular government which afterwards led to the entire change of the Constitution of Nova Scotia.

Pictou Academy struggled on for a number of years and provided training for a large number of the most brilliant men the Province ever produced. It was not only in its direct work that its influence was felt. Patterson says in his history of Pictou county: "It largely advanced the cause of general education and diffused a taste for literature and science. The number of men it educated, with their general influence, the schools which they taught, the popular scientific lectures of Dr. McCulloch, the general air which such an institution diffuses around it and even the discussions to which it gave rise made it the means of diffusing intelligence, and a

desire for knowledge among all classes of the community beyond any institution of its time and we might almost say since".

But it was not only through this institution that Presbyterianism told on provincial education. It had an educated ministry and all that we need say of them is that there never was an educational movement carried on in the Province in which the Presbyterians were not in the very front. When Dr. Tupper carried through Parliament the Free School Act of 1864, it was a Presbyterian minister, Dr. Forrester, who made the passing of the act possible, by lecturing all over the country from Cape North to Cape Sable. In this he was ably supported by every Presbyterian clergyman in the Province.

On the question of university education the Presbyterian church had always a clear policy. They believed it was the duty of the state to provide education for the people and therefore they were always in favor of a non-denominational provincial University. They started Pictou Academy purely in self-defence. The same was true of the College at West River, at Truro and at Halifax. It was their uniformly consistent position on this great question which led them to unite with Dalhousie College, closing their own colleges whenever an opportunity offered of putting into effect the openly avowed policy of their church. If this policy had been adopted by all the Maritime Provinces would have a university second to none in America.

Nor was it in educational work alone they were interested. They took a deep interest in everything pertaining to the Kingdom of God and the welfare of men. In the early part of the nineteenth century the Christian people of Britain and America awoke to their duty and responsibility to make Christ known to the heathen world. In Nova Scotia a number of ministers and congregations in the Baptist Church and a number in the Presbyterian Church, became deeply interested in this great work. Missionary Societies were formed in different parts of the country. The interest deepened and after a few years, both churches determined to start a foreign mission. The Baptists got ready a little earlier than the Presbyterians and their missionary, the Rev. R. E. Burpee, left for India in 1845. He was followed by the Rev. John Geddie, the Presbyterian missionary who left Nova Scotia for the South Seas in 1846. These were the first foreign missionaries from Canada, but since that time the interest

has steadily increased until now the Presbyterian Church in Canada is actively engaged in nine different fields. It has in this service a hundred men and seventy-five women, not counting the missionaries' wives, who number nearly a hundred more. This band of devoted Canadians is assisted by a large body of native preachers and teachers who have learned the truth of the Gospel and are devoting their lives to telling it to others. When we compare this with the condition of the church of a hundred years ago we are constrained to say: "What hath God wrought?" Similar progress has been made in every other line of work.

In this broad Dominion into which vast numbers of all nationalities are coming there are many and varied problems to face. It will require all the wisdom, all the religious earnestness and all the united resources of the Christian churches to deal with them. If Canada is to be won for Christ then all His people must be animated by His spirit. The mistakes of the past must be avoided. The narrow sectarianism which too often marked all the churches must be wiped out. When Dr. MacGregor was sent to this country he was told by the Synod that ordained him that he was sent out here not to make seceders but to make Christians. When all of our churches shall have risen to the full significance of this instruction we shall go forward as a united host to conquer Canada for Christ.

BRIEF SKETCH OF THE BAPTISTS OF NOVA SCOTIA.

(D. A. S.)

The Baptists of the Maritime Provinces came into existence in a peculiar manner. Although there have been for hundreds of years those holding the same views as ourselves on the Continent of Europe and in England, as far as I know the Baptist Movement here started about 1780, when Henry Alline, a young preacher, took it upon himself to blaze a way through the spiritual darkness then prevailing. Many small bodies of his followers united in Horton, Falmouth, Amherst, Yarmouth and other places. His main contention was that men should be born of the Holy Spirit, and that merely being of a Christian family did not constitute them children of God. He was a genius, who wrote his own hymns, sang them with fiery energy, and preached with great power. In his diary he speaks of the effects of his labors, which approached the marvellous. He was

not afraid to attack the strongholds of sin, and he tells how men and women were bowed down under the power of God's word. His followers were called "New Lights." He did not lay much stress upon ordinances, nor did he have the organizing power of Wesley, but was more like Whitfield. If people were converted, he was satisfied. His career was short, dying at the age of thirty-seven.

Now, it so chanced that preachers of our persuasion from the United States came over and instructed our fathers that churches and ordinances were necessary, and after a good deal of discussion and the heart throbbings incident to all such controversies, the Dimocks and Mannings and Hardings and others slowly came to the conclusion that there was an order laid down in the New Testament. They saw that the flock would not thrive without a shepherd, and so they appointed pastors and deacons. These men brought over the American type of Baptist churches. Individuals were received on profession of faith, and on the vote of the whole church.

The practice of witnessing to the truth of what the minister had preached was commonly observed until well on in the nineteenth century. Women as well as men followed this custom. But gradually it fell into desuetude, and we allowed ourselves to conform to the ways of the other Protestant bodies, having the same set services, the whole being left to one man. The sermon came to be the main thing. Whether this is the better way is questionable. This was made up for in part by another institution unknown to the English Baptists. A monthly conference of the members held on Saturday afternoons was generally observed. Women as well as men were expected to take part. The Lord's Supper was observed monthly. The English Baptists, whose customs obtained in the Upper Provinces, knew no such meetings, neither were the female members expected to take part. Baptists throughout the Dominion are now pretty much conformed in type, and are united in practice and belief. The individualism of both churches and members is a standing feature, but of late the idea of interdependence has impressed itself upon the denomination.

It was many years before our people could accept the idea of a regular salary for their ministers. It seemed like "preaching for money," but gradually the churches came to recognize the principle laid down by St. Paul that "they who preach the Gospel should live

of the Gospel." There had been an American pastor in Horton, but after some years he had resigned, when the services of Theodore Seth Harding were secured, towards the end of the eighteenth century. His action will illustrate what I have said as to salary: "A man he was to all the country dear," but it is almost impossible to add the other line of Goldsmith's celebrated couplet,—"And passing rich at forty pounds a year."

The voluntary system was pushed to its extreme. There might be plenty or there might be little or nothing in the minister's house. However, Father Harding had a way of his own. A young man had made some money and settled near him. Soon after, the good old pastor needed a cow. He set out, cane in hand, marched in, and addressing the new occupant, briefly said: "John, I want a cow." The good brother thought this a pretty large request, and suggested that the minister had better see some of the other neighbors. The good man kept on wagging one foot over his knee and reiterated his request. No satisfaction was given him, so the old minister trotted off home. During the night the good brother found himself lying awake, thinking of the large request. In the morning he told his man to drive Biddy over to Father Harding's barn. He felt that he had done his duty amply, and had much self-commendation thereon, but what was his surprise the next day to see Father Harding come in and seat himself, and, as before, wagging his foot across his knee, he said, "John, I want some hay." John replied that he had given him a cow, and that now he could go around to the neighbors and ask for a jag of hay. The minister simply replied, "John, I want some hay." In the night again the man was troubled, and in the morning he told Robert to take Father Harding a load of that best hay out of the east mow. I have heard the neighbors say that on entering a house the pastor would look up at the beams and say, "I want one of those hams." It was the same all round; the fathers did not say to their converts, "justification, sanctification and a penny a week," as a certain great founder did. Speaking of Father Harding, the people all venerated him. He had a fine flow of natural eloquence, but in the pulpit only. Outside of it his words were few. One day a discussion was being held in which all took part. At last someone cried out, "But, Brother Harding, what is your opinion?" He wagged his leg over his knee, and said, "Don't know; I will tell

you from the pulpit on Sunday." There he had extraordinary power. I asked Dr. Cramp about this, and he said, "Yes, it was true, but his sermon was Scripture strung together in a masterly way from beginning to end."

Strange to say, another of the same name, Harris Harding, who was of the New Light order, settled in Yarmouth, and was of a different type from Theodore. He had a great influence over Yarmouth and vicinity. He spent his life there, built up a large interest and finally came into full fellowship with the Baptist Association. His power, unlike that of the other Harding, lay outside of the pulpit. After sermon he would come down from the high perched wine-glass pulpit, which served as a throne from which our fathers ruled, and mingled freely with the people, conversing with them as to their spiritual state, and otherwise holding intercourse with them.

The old ministers would take preaching trips in the summer months, coming across from Horton by packet, and working their way along, preaching as they went. My old friend used to point out the little bedroom off the parlor where the fathers had slept. When Father Manning and Theodore Harding returned from one of these annual "vacations" a minister said, "Well, Father Harding, how did you get along?" "First rate; Manning preached God and I preached Jesus Christ." That shows at least one difference between the two men. Edward Manning was attracted by the theological side of religion. He was a big man, physically and mentally, and made the whole Cornwallis his parish for a lifetime. These men and their contemporaries thought deeply and handled subjects we dare not touch nowadays. Their congregations demanded the strong meat of the Divine Word, "Predestination, free will, fore knowledge absolute." No sermon was savory that did not touch upon one of the five points of Calvinism, and sometimes they endeavored to compress the whole five. But then they took time. I have heard a preacher spend twenty-five minutes in getting warmed up. Then he plunged into the sea and remained there for an hour or more.

When the education movement came, there was a change, gradual of course, and a marked difference in manner. There was less of vociferation and more of clear statement. Although the controversial period prolonged itself, things became more serene. One could hear good doctrine delivered in a more quiet way. Men like Jos-

eph Dimock, modest, patient, plodding, who built up a large interest in Chester and the surrounding district, left their mark. Others less notable gave themselves to the ministry and flourishing churches were the result. A small body of the colored people have been working on their own lines, maintaining a separate association, whose condition is improving under wise leaders. They number eighteen churches, with a membership of 679.

The number of United Baptist churches (the union between ourselves and the Free Baptists was consummated some years ago, hence the word "United") reported in our Year Book for 1915 is for New Brunswick, 294, Nova Scotia, 259, Prince Edward Island, 27. The list of ordained ministers for New Brunswick, Nova Scotia and Prince Edward Island, stands at 307; licentiates or candidates for the ministry, 74. As we are all embodied in one Convention for the Maritime Province, it is hardly possible to separate the Nova Scotia ministers, as this history would expect. There are also to be deducted from the actual pastorate, missionaries in India, and professors in our institution of learning, as well as those engaged in denominational agencies. But the figures will give a fair idea of where we stand in this respect. The number of members reported last year for Nova Scotia is 32,492, for Nova Scotia alone.

We turn now to some others of the second generation, who by ability and force of circumstances were pushed to the front.

Edmund A. Crawley, D. D., D. C. L., was the spokesman of the dissidents of the Episcopal church, who brought over to the Baptists a new element, owing to a difference with the Episcopal Bishop, who insisted on installing in St. Paul's, Halifax, a rector whom a party protested against. Hon. J. W. Johnston and others determined to form themselves into a separate church. These brethren brought in leaven which leavened the lump. This new force raised the Baptists intellectually. Another pen has related how our educational institutions rose into being. But it is allowable to say that E. A. Crawley, at that time a lawyer in Halifax, was forced to the front, and became a leader. While the churches are independent, nevertheless they have always been led as other denominations, and have thus on the whole been homogeneous. Dr. Crawley soon gave himself to the ministry, and exercised a strong influence in raising us out of the obscurity caused by the want of education. He was a

man of fine presence, a graduate of Kings, and a member of one of our oldest aristocratic families, his father having been a captain in the British Navy, who settled in Sydney, Cape Breton. He was the man with Hon. J. W. Johnstone, J. W. Nutting, and the Twinings, who fought the battle of a separate college, and who for years was the mainstay of that college. He was the architect who planned the buildings. He was the president for some years. He visited all parts of the country, arousing an interest in the educational necessities of the people. The denomination owe him a debt of gratitude they can never repay.

Rev. John Pryor, D. D., was one of those who came over to the Baptists at the time alluded to. He was the first president of the college, and for many years helped to set forth in public meetings the necessity of education, and was a laborious instructor in the lecture room.

John Mockett Cramp came from England in mid-life. He was a scholar and a natural leader. He was virtually the head of the denomination from the time when he assumed charge of Acadia College. He had the traits of the Nonconformist, and sometimes seemed a little hard on the state churches. He was a typical Englishman, and some still living will remember his dignity and his courage when the larger questions came before us. Although an educationist, he was interested in everything that pertained to the welfare of the people. This was shown when the perplexing question of the method of dealing with the Foreign Mission of the Baptists was forced into notice. They had always been interested from the time of Carey and Judson and had contributed to that cause, through the American Baptist Missionary Union. But in 1870 there seemed to be need of a new departure. The convention of that year was held in Fredericton. Dr. Cramp was not well, and two of the young ministers called on him. They found him in bed, mentally alert, and as they talked over the business going on, the Doctor suddenly said, "Brethren, we must do something. Can you not make up a resolution embodying the idea of an Independent Mission? Set the ball rolling, it will grow." The young men went out and that afternoon while the debate was going on, one of them had the temerity to move that "a committee be appointed to inquire into the feasibility of a mission sustained and governed by ourselves." The resolution fell like a bomb, and at once there were animated speeches, pro and con. The

committee was appointed, with Dr. Cramp as chairman, and with his accustomed thoroughness a report was presented next year at the convention in Yarmouth. A resolution was passed, with some misgivings, to the effect, "that we do now proceeed to the inauguration of an Independent Foreign Mission." There were many difficulties in the way. The Americans told us plainly that "they did not want us to squat on any of their fields." It took some time and a good deal of exploration to find a field suitable, but finally we concluded to coalesce with the brethren in the Upper Provinces, and since that time our energies in this great work have been spent among the twenty millions of Telugus in the Madras presidency. Lately we have also contributed to a Mission in Bolivia. We had not much money, but great zeal, and in the good providence of God the Women's Missionary Societies just at this time were being brought into existence in all the denominations. Some noble hearts in our body immediately set about forming these auxiliaries in all our churches. Without their aid it would have been impossible to start and keep going so expensive a work.

Having spoken of Dr. Cramp, in the same connection we must include the Rev. Charles Tupper, D. D. He was the president of the old board of Foreign Missions, and had more knowledge than any of us in regard to this matter. He could hardly at first understand what the young men were driving at, but after considering the matter, he was enabled to render valuable aid. His heart was in the business, he having taken up the first collection in Nova Scotia in aid of Dr. Judson. He was a self-taught scholar, who not only could read the Bible in Syriac, but wrote a commentary on the same. Dr. Tupper had an extraordinary talent for acquiring foreign languages. While engaged in pastoral duties, he carried his books in his saddle bags, and, on arriving at a house where he was to preach and pass the night, he would say very politely, "Now, sister, will you kindly give me a candle and I will read this book while supper is being prepared." In this way he managed to get a fair acquaintance with some eight or ten languages. He was the soul of method. His children have told me that they always knew the exact hour in which to place the kettle on the fire. "I will be home on the 20th at five o'clock, P. M.," he would say on starting, and he was always back at that hour. Besides his pastoral labours, which extended over a

large range, he found time to edit *The Baptist Magazine,* which he founded, and afterwards he contributed regularly to its successor, *The Christian Messenger.* His nephew, Rev. Silas T. Rand, D. D., D. C. L., had the same gift of tongues, and felt constrained to go amongst the Micmac Indians until he mastered their language and published a primer for their use. Afterwards he rendered the New Testament into their tongue; the British and Foreign Bible Society kindly printed it for him. He also published a Micmac Dictionary, which remains a monument more lasting than stone to the memory of this genius.

After Dr. Cramp came an American, Artemas W. Sawyer, D. D., LL. D., who presided over the college. He was a teacher of the first order, and influenced the denomination rather by his conspicuous talent than by any loud exhibition of ability. He wrote little, was a philosopher rather than a man of action, but successive classes acknowledged his power. Dr. Thomas Trotter for a few years was president and helped things on the upward grade by raising the endowment and by his preaching ability.

We have mentioned these men to show that however independent a body of Christians may profess to be, nevertheless the sheep always look up to their leaders, and because thus in a large degree our people are held together. We have no legislative body, we have no authoritative creed, yet we have our distinctive views and beliefs. Since uniting with the Free Baptists, there has been manifest a spirit of compromise, which has had a far-reaching effect. The old bitterness of feeling has died out. The new way of preaching the gospel, the absence of dogmatic statement when there is an impossibility of dogma, has had a marked effect on the young generation. The beautifying of our houses of worship by stained glass and flowers would have been scorned by our ancestors. But the organized effort to raise our needed funds and the better kind of music have done us good, and have left us about where we were as a separate Denomination. The spiritual, when all is said and done, is the same thing. If we can get nearer to the form as laid down by the Master, if we can be just, temperate, peace-makers, and keep this world in its right place, with our eyes fixed on the City of God, our varieties in worship will count for little.

METHODISM IN NOVA SCOTIA.

(E. B. M.)

Among the emigrants who came to Nova Scotia, after the expulsion of the Acadians to repeople the lands confiscated from those unfortunate exiles, were several parties from Yorkshire in England. The first detachment of these sailed from Liverpool in March, reaching Fort Cumberland in May, 1772. In the three succeeding years several other companies followed from the same quarter, joining their pioneer friends in Cumberland County. From a political point of view, these settlers proved to be a great acquisition to the Province because of their attachment to British institutions. They are discribed as "a peaceable, industrious people, and lovers of the constitution under which they were born." From a religious point a higher eastimate of their value has been given. Among them were the first Methodists of the Lower Provinces. Yorkshire—ever a stronghold of Methodism—included at that time one-seventh of the circuits and nearly one-fourth of the Methodists in the United Kingdom. It might reasonably be expected, therefore, that coming from such a district, memorable as the scene of many visits from the Wesleys, consecrated by the tears and prayers of that flaming evangelist, John Nelson, and treasuring hallowed memories of the saintly Hester Ann Rogers, there should be among these emigrants many who were loyal and devoted Methodists. Yorkshire Methodist was of that well known type which must give expression to its faith in hearty song and evangelistic preaching. In such, and in many other ways, these sturdy settlers were an acquisition to the life of the country which the politicians were alert to see could not fail to supply to earlier comers the elements of stability and growth.

A few of these people drifted into other counties, but the majority of them settled up Cumberland, beginning life anew, with intense loyalty to the institutions and ideals which they brought with them into the new world. The country had not fully recovered from the effects of the spirit of disloyalty which culminated in the expulsion of the Acadians, the agitations caused by the Eddy rebellion had not entirely subsided, the settleemnts were small and far apart, the inevitable discouragements which face new settlers were all in evidence, and the Indian was still in the land. There was only one minister in the county, the Rev. John Eagleson, who was sent out in 1769 by the

Society for the Propagation of the Gospel; and in the Province there were a few Anglican, Congregational, Presbyterian Churches and one Baptist Church. While opportunities for holding religious worship were few and far between these first Methodists met for prayer meetings in their own homes, and through these means souls were led to Christ.

Besides this, whatever other religious services were held they attended, thus keeping alive the glowing embers of their faith and zeal. It is evident that the introduction of Methodism into Nova Scotia was not the establishment of a sect or a party in dogmatic theology, or with ritualistic assumption. It was rather the continuation of the religious force in daily life which these families brought with them from the old world into the new. As such it became a strong and elevating factor in the social life of the people, imparting lofty ideals, which were brought out in moral strength, making loyal citizens and men and women of power and gentleness.

Among the early arrivals from Yorkshire into Cumberland were William Trueman, Sr., with his wife and family, who settled in Point de Bute in 1774. The Trueman homestead, the birthplace of a numerous Methodist posterity, in a spiritual as well as a physical place, was for many years the headquarters of the Methodist ministers stationed in Cumberland. Also two brothers, John and William Fawcett, described as "two worthy old English farmers, staunch friends of Methodism," who brought their religion with them across the ocean; John Newton, who came to be regarded as the patriarch of the old settlers; and Thomas Scurr, both men of deep piety, through whose prayer meetings many of the early settlers were brought to Christ. Among other names still held in high honor both within and outside Methodist circles are William and Mary Chapman, who came to Nova Scotia in 1775; of George Oxley, in whose dwelling the first Methodist itinerant of the Lower Provinces found peace with God; of Donkin, an intimate friend of William Black; of Dobson, mentioned by Wesley in a letter in 1790; of John Weldon, who reached Cumberland in 1774, to whom belong the honor of being the first Methodists of the Canadian Dominion.

The man who was to bring these scattered forces together, and weld them into unity and strength, who by his intrepid spirit and enthusiastic ministry carried the teachings which were so full of

divine power through the whole territory known as the Maritime Provinces, was preparing for his wonderful mission. Among the English families which settled in Cumberland County was one which on account of the important relation of one of its members to Methodism, demands more than a passing notice. This was the family of William Black, of Huddersfield, Yorkshire. In 1775, with his wife, four sons and one daughter, he joined the families that preceded him at Amherst. A few years later a religious revival stirred the whole neighborhood. Among those who were awakened and soundly converted were all the members of the Black family. William, named after his father, the eldest, and the only one who claims our attention, was nineteen years of age. Like every new convert he became anxious for the spiritual welfare of his fellow men, and first of all for those in his own home. On the day that he found peace, he spoke to his brothers one by one, waking them from sleep, and they too were led to the Light. Then he roused his father and stepmother, and they besought him to pray for them, and peace came to their souls. And the climax was reached when next day his sister found the Lord. Thus the whole family, through his exhortations and prayers became earnest followers of Christ. Along with the joy of seeing all at home possessors of the joy of forgiveness, he set up the family altar, and then became anxious for the souls of his neighbors. As he passed them on the road he lifted his heart in prayer for their conversion; in company he seized the opportunity of denouncing sin, much to the annoyance of some but ultimately with spiritual profit. These early efforts at winning souls were so richly blessed that he availed himself of every chance, "instant in season and out of season." In the adjoining settlements he made his first attempts at preaching and so many were the tokens of the Divine favor, that from the beginning he was a marked man,—a man destined to combine and lead the forces and lay the foundations of Methodism far beyond the limits of his own neighborhood. He, with three other zealous young men,—Scurr, Wells and Fawkender, visited in turn, on Sabbath, the settlements of Prospect, Fort Lawrence and Amherst. In each place these visits were made a blessing to the people. At times "hard names" were thrown at them, but in one instance only did hostility assume practical form. On that occasion the officer in command at Fort Lawrence in consequence of rep-

resentations made to him by the Episcopal minister of the district, deemed it his duty to suppress the meeting, and for that purpose sent a party of soldiers, who made prisoners of more than twenty of the congregation, marching them to the fort, where they were detained for two hours. The officer, who soon learned his mistake, was glad, like the magistrates of Philippi in apostolic days, to dismiss his prisoners with suitable apologies and "soft words."

Through the winter of 1781 about two hundred were meeting in classes in Cumberland County. That same year Mr. Black set out to visit the scattered population of the Province, then estimated at twelve thousand. He visited Fort Lawrence, Sackville, Dorchester and Hillsborough on his way to the Petitcodiac River. After eighteen days he returned to Amherst with an encouraging report. A few months later he revisited these settlements, forming classes, holding love feasts, laying the foundations of organic Methodism throughout his immense circuit. These early successes led to the complete consecration of himself to the Christian ministry, dedicating himself at the age of twenty-one wholly to the service of Christ as the first Methodist missionary in the Maritime Provinces. Without any college training or the help of any minister or church institution, he left his father's house in November, 1781, and commenced a career of undaunted energy and boundless influence, laying foundations for others and becoming essentially the founder of Methodism in eastern British America.

In 1781 Mr. Black had charge of the Cumberland circuit until after the first general meeting of the itinerants which was held in Halifax five years later. The circuit included Wallace (then Ranshag) to Petitcodiac, taking in Bay Verte and Cape Tormentine. Arriving at Windsor on his way to Halifax, he was welcomed by a few Methodists from Yorkshire who had settled there. These he gathered into a class, the leader of whom was John Smith. Mr. Smith, with his family, came to this country in 1773, having purchased a farm at Newport near Windsor. Finding several of his neighbors in sympathy with his own religious opinions, he established meetings for prayer and the relation of Christian experience from house to house on the Sabbath. Sixty years later, as he reached the entrance of the "Valley of the Shadow," looking back over life's long day of work, he was comforted by the thought that

in a part of the Province where he had once stood alone, several Methodist churches had been erected and numerous societies formed, into which all his children on earth, and many of his friends had been gathered, while his wife and three children waited 'across the river' to welcome him to the ranks of the shining ones, he heard the 'keel upon the shore.' "

In 1789, Mr. Black having begun his ministry a lonely pioneer missionary, was appointed superintendent of the Methodist church in Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland. With the zeal of an apostle he entered upon a life of usefulness, which for courage and incessant traveling and preaching, place him side by side with the most devoted evangelists in history. Superior to weariness, he traveled on snowshoes in the winter, and by boat or on horseback in the summer, and when these failed, he journeyed by log canoe or walked over bad roads. Once he walked forty miles that he might spend the Sunday with the people in Windsor. Sometimes he was in danger of the sea, and glad after a hard day's work in the winter to have a little straw to lie upon, and a thin cover to shelter him from the cold. Like other moral reformers he often met with opposition, rough fellows and ignorant, disturbing the services by shouting and seeking to break up his meetings; and others who were possessed of education demanding his authority for preaching the Gospel. But to them all he was gentle and patient, and some of his revilers were soundly converted and learned to revere him as a man of God.

Before the youthful Bishop had completed his first visitation through his extensive diocese he realised the pressing need of helpers. Already two or three choice souls had joined forces with him in this mission; among them were the brothers, John and James Mann, from the New York Conference. These were followed by Freedorn Garrettson and James O. Cromwell, of the same conference, who volunteered for work in Nova Scotia. Mr. Garrettson was noted for his gracious demeanor and amiable simplicity of manners; a born leader, a man of zeal, prudence and piety. His all-too-brief ministry resulted in extensive revivals in different parts of the Province. His first appointment was Halifax. Soon after his arrival he called on Dr. Breynton, the rector of St. Paul's, who received him in a kindly spirit. "You are on a blessed mission," he

said to his visitor, "I will do what I can in assisting you. I desire to see the Gospel spread." Equally favorable was his reception by Governor Parr, who spoke to him in commendation of Wesley, and assured Garrettson of his approbation of the purpose which had led him to the Province, adding, "Whenever you call for my assistance, if I can help you, I will."

A building seating three hundred people was secured for worship, but larger congregations crowded to his ministry than the room would contain. At intervals he visited outlying towns and settlements,—Windsor, Wilmot, Granville, Annapolis, Digby, Barrington, Liverpool and other places, in all of which his ministrations were attended with encouraging results. Remaining for two years only, he returned to the United States, deeply regretted by his brother ministers and the people for whom he labored. Other assistance came from the same quarter, but unfortunately their stay was brief, and the work was greatly hindered on that account. Such was the depletion in the number of ministers from this cause that in 1800 only five ministers were at work in the Lower Provinces. These, during the previous year, had sought to render themselves as ubiquitous as possible. Later in the year Mr. Black returned from the English Conference with four young men,—James Lowry, William Bennett, Joshua Marsden and Thomas Oliver. Receiving a cordial greeting at Halifax, the new arrivals at once left for their fields of labor: Lowry to St. John, Marsden to Cumberland, Oliver to Liverpool.

The statistics of membership of the first conference of the century are worthy of record. One hundred and sixty members were returned from the Halifax circuit; 120 from Annapolis; 94 from Liverpool; 90 from Cumberland; 102 from Shelburne; 75 from Newport; 113 from St. John; 80 from St. Stephen; 20 from Sambro; 20 from Prince Edward Island, making a total of 874 members in the Lower Provinces.

Joshua Marsden, who later won for himself a "good degree" in the mission field, stationed in Cumberland, found himself happy in the society of the Yorkshire Methodists, who had brought their religion across the Atlantic, and of some of their children who had given themselves to Christ and His service in the adopted home of their fathers. On his first missionary tour he "passed through a

chain of settlements linked together, stretching from the Nappan River to the Petitcodias River, and from the Cumberland Basin to the Bay de Vert, on the Gulf of St. Lawrence; including Nappan, Amherst, Fort Lawrence, Fort Cumberland, Point de Bute, Sackville, Dorchester or Mamramcook, in all of which he preached the "unsearchable riches of Christ." "The people," he said, "treated me with great kindness and affection. Frequently a goodly company would ride through the woods with me to my various appointments, singing the praises of God in the solitude of the wilderness. Thus the forests that were formerly vocal only with the growling of the bear, the croaking of the bull-frog, and the yell of the savage Indian, were now consecrated with the voice of praise, and saw the sylvan chapel raise its head amidst the dark pines, towering birch, and spreading maple trees. We found on these journeys many settlers deep in the bosom of the wilderness, along the banks of the unfrequented rivers, and on the shores of bays and creeks far remote from towns and regular roads, and cut almost off from all the rest of the world; preaching at places where they had not heard a sermon for sometimes more than twelve months together. In my situation at Westmoreland I was from 120 to 150 miles from any of my brethren in the mission, with scarcely any intercourse for several months in the year."

On one occasion he was under engagement to preach at certain place. The day brought such a snow storm as he feared to face alone, so he persuaded a friend to pilot him. But the storm was so fierce that they could neither see nor keep the saddle. With much difficulty they reached the place. Asking the man of the house, "Did you expect me?" "Yes, certainly," was the reply. "A Methodist preacher will go through fire and water to keep his appointment." The hard work, punctuality and perseverance of such men as William Black, John and James Mann had taught them that there are no hardships, but a zealous missionary fired with the love of God and souls will encounter.

In the winter of 1801 he accompanied Mr. Black to Wallace, finding their way through some fifty miles of wilderness by the help of blazed trees. He described the scenery of the country as "wild, dreary and revolting to the feelings." The communication between the settlements was chiefly across bays, rivers and portions of the

gulf, all bridged with a pavement of ice. The gulf itself was terrible, as far as the eye could command, and immense masses lifted up like hills, and in some places like a solid wall rose in all directions, and appeared as though the ice had formed during a storm. To compensate for the dreariness of the scene, he found a people hungering and thirsting for the bread and water of life, without temple, without ministry and without ordinances, and whom no itinerant had visited for several years. Notwithstanding the difficulty of traveling, the people came in large numbers from the different settlements to hear the Word. They came in groups from all quarters,—some in sleds, some on horseback, some skating and others walking, and the French settlers in their carioles. It was not uncommon for some to come twenty or even thirty miles. One day he was crossing the bay from Malagash, accompanied by a large company in sleds, to preach to the descendants of the Huguenots at Tatamagouche. When the party were within a mile of the shore at the latter place, one of the horses became unmanageable and a general panic ensued. Marsden and a number of others threw themselves out on the ice, while the horses, as though mad, galloped towards the woods. At the service which followed this wild scene, "the divine influence was powerfully present." This visit of Marsden and Black was long remembered at Wallace and the neighboring settlements. The subsequent visits of John Black were also highly prized, contributing much to the continued stability of Methodism in that part of Nova Scotia.

Having labored in this fashion for seven years, traveling many thousands of miles over roads and no roads, in all kinds of weather, having labored in various missions from Annapolis Royal to the Gulf of St. Lawrence, and from the head of the Bay of Fundy to Halifax, having suffered severely in his health by exposure on the ice in the swampy roads, is snow storms, by severe rains,—damp clothes—damp beds—log huts—travelling in the night and lying on the floor, having injured his lungs and impaired his general health, he wrote for permission to return home, or to be sent to a more congenial clime. His request was granted. He was sent to Bermuda, and for many years the record of his faithful ministry lingered, a precious memory in the hearts of all who knew him.

The annual meeting for 1806 was held at Horton. One incident

relating to that meeting made it forever memorable. A young girl of seventeen who had known of Methodism only by report—a report that was by no means favorable—listened to sermons preached by William Black and James Mann. Never before had she listened to such a ministry as this, and her heart began to glow with love to both ministers and people. She longed to be one of them, but made no decision, lest being alone she would lapse into carelessness. Five years later, as Mrs. David Starr, she removed into Halifax and became an attendant upon the Methodist services in the town. About a year after her arrival, while one evening at prayer, she received an inwrought confidence that her supplications were accepted, and that the strength of grace would be perfected in her weakness. To be useful in the cause of Christ was one of the earliest and strongest instincts of the new life imparted to her soul; and it became one of the most influential and abiding of the motives which regulated her course for half a century. At her suggestion the missionaries visited and preached in the home of her girlhood, there laying the foundations of one of the most prosperous circuits in Nova Scotia. After a life of faith and service, in which as in all lives joys and sorrows were mingled, she entered upon her reward in November, 1858.

In 1820 the annual meeting was for the first time held in Liverpool. Among those present was a youth of seventeen years named Matthew Richey, whose life-work gives him a place in the ranks of noted British Americans. At the outset of life, he was endowed with no special marks of fortune. His parents, who were in humble rather than in affluent circumstances, had been taught by experience that success commonly depends on exertion. Therefore they counselled him to make the most of his opportunities, to rely on himself, to regard education as a business, and learn as much as possible in the shortest possible time. They lived in the village of Ramwelton, in the north of Ireland. Presbyterians of earnest, perhaps of severe, piety, they indulged the dream, which is so often no more than a dream, that their gifted son might at some future day take orders in the church of which they were members. These hopes were encouraged by the good reports they had of his moral and intellectual promise. At fourteen he was singularly conversant for his age with the Greek and Latin classics. At about that age he accompanied a school-fellow to a Methodist prayer meeting. The devotions of which he found himself engaged produced in his mind a transport of ecstacy,

for the religious temperature of that house of prayer glowed with fervor and was passionate with feeling. The boy worshipper inhaled the ether of a spiritual delight, which to him at least was more exhilarating than the crisper atmosphere that gathers about the glacier solemnities of the covenant of his fathers. The "people called Methodists" captivated his imagination and converted his heart. He at once cast his lot with a society whose members seemed to have caught some of the brightest beams of the Divine favor, who were one with one another, united by the bond of a common faith, the tie of a common experience, and the anticipation of a common joy.

Having taken his place in the new society at the sacrifice of the attractions of his father's house, he obtained permission to shape his own course, and make his own way in life. With good attainments, good health and one sovereign in his pocket, he landed at St. John, New Brunswick. In his arrival he obtained employment as a writer in the office of a leading lawyer who, recognizing his abilities, assisted him to procure a situation of assistant teacher in the principal academy in that city. But his call to the ministry had taken irresistible possession of his mind, and he commenced in the Germain Street church pulpit his long colonial career as a preacher. Soon after he resigned his office as school teacher, and offered himself a candidate for the Methodist minister at Liverpool. The young candidate conducted the early morning service in which he revealed that rare combination of powers of oratory, which in a few years made him a preacher never to be forgotten by those who heard him. In 1825 he was ordained, and in the same year he married. For private reasons he spent the winter of 1830 in Charleston, U. S. A. While there he generally did duty in the Presbyterian places of worship. It is no figure of speech to say that people ran after him. Indeed, those religious runners became such nuisances that it was actually necessary to guard the doors of the churches in which he preached against their intrusive inroads until the regular congregation was housed and seated. More than one wealthy congregation in Charleston were desirous to secure his services. Had the love of money been a constraining love, he might have yielded to the enticing temptation. Under similar circumstances many persons would have heard a "call" which he did not hear, and perhaps have recognized the "hand of Providence" in a way he did not see, in thus reconciling the inter-

est of a son and the desire of a father, with an income of pleasant proportions. Such a transaction would, poetically at least, be represented as a solace to the heart of a beloved parent if living, or a touching tribute to his memory if departed. Dr. Richey had been tried in the refiner's fire and had no inclination to sooth his conscience with a cheat. What he had honestly done in his youth he deliberately stuck to in his manhood. He preferred his Wesleyan church and his British country to money or praise.

"Unlike the chameleon, who is known
To have no colors of his own."

he stood by his faith and by his flag, and doubtless his loyal heart beat all the more serenely for such fidelity.

In 1832 he returned to Nova Scotia and was stationed at Halifax. Three years later he was sent to Montreal to fill the position of first principal of the Upper Canada Academy. After filling most important posts in Canada he returned in 1851 to Nova Scotia, where for many years he maintained his rare pulpit reputation. But a fall from a carriage drawn by a runaway horse, during his stay in the Upper Provinces, inflicted a permanent, though imperceptible injury upon the eloquent preacher, and in the autumn of 1883 he was buried from Government House, Halifax, then occupied by his son, Lieutenant-Governor Richey.

One who attended his ministry for years described him as the *beau ideal* of a pulpit orator in manner, in appearance and in the use of choicest language, and his well-prepared and convincing arguments. In those days there were few men, either in the pulpit, at the bar, or in the Senate who could compare with him in soul inspiring eloquence. Not only was Matthew Richey attractive in the pulpit; he was highly efficient as well. His sermons were not more distinguished by their splendor of diction and rhetorical beauty than by their evangelistic sentiment, their definiteness and clearness of Biblical exposition, their full presentation of Christian privilege, and faithful enforcement of Christian obligation. The Gospel system as interpreted by Methodist theologians he had accepted without any reservation, and from the church of his adoption no offer of place or emolument could ever tempt him. From the depth of his personal conviction came his power to convince others and thus fit them to be leaders.

At the British Conference of 1825 the missions in the Maritime Provinces were divided into two sections. Of these one, with Stephen Bamford as chairman, was designated the Nova Scotia and Prince Edward Island District; the other, under the direction of Richard Williams, was known as the New Brunswick District. The division lines were at first drawn with little regard to provincial boundaries. Even after readjustment the extensive Annapolis Valley and a section of Cornwallis continued to be a part of the New Brunswick District. The formal separation took place in the following year, when the ministers from the three Provinces met in Halifax and formed two distinct organizations. About that time an effort was made to extend Methodism in the eastern part of Nova Scotia. William Webb, who had lately arrived from England, was placed at River John. Together with James G. Hennigar they spent a Sunday in Guysboro, and during the ensuing week a meeting was held to consider the proposal to erect a Methodist church. Subscriptions were readily offered, and a suitable site was given; Mr. Webb was instructed to remain at Guysboro. On November 1, 1829, the dedicatory services were conducted by the young pastor, assisted by Mr. Hennigar and Matthew Cranswick. Previous to that date twenty persons had been enrolled in membership, to whom ninety others were added in 1834. At the request of Judge Marshall, of Sydney, Cape Breton was added to the Guysboro circuit. In several of the settlements there which Mr. Webb visited, some from his lips first heard the message of salvation. At the close of the year eighty-two members were reported.

During the next thirty years Nova Scotia Methodism made steady and substantial progress. Many ministers had been received from the Britsh Conference, and others had been raised up in the congregations under their charge. Churches and parsonages were erected, denominational literature widely circulated, and educational facilities provided. Important changes had taken place in the political and social conditions of the people. A more liberal spirit manifested itself among Christians of different names, old animosities were dying out, and more of Christ and less of sect was a growing feeling. Population had largely increased, improvement in manufacturies, in modes of travel, and in the homes of the people were everywhere in evidence. The churches participated in the public prosperity, and none more so

than did the Methodists. And to such proportions had she attained that a change in her relations with British Methodism was deemed necessary in order still more successfully to carry on the work. This change was brought into effect in 1855, when the scattered churches of the Maritime Provinces—Newfoundland, Prince Edward Island, Bermuda, New Brunswick and Nova Scotia were organized into a Conference under the name of The Wesleyan Methodist Church of Eastern British America. For a period of nineteen years this arrangement of work justified itself by success. At the organization of the Conference seventy circuits were reported on its official minutes. In 1874, when another adjustment of the work was made, Nova Scotia alone reported sixty-eight circuits and missions. A similar growth was reported in the other Provinces.

In the meanwhile whispers were heard respecting a wider union, which had long been the day dream of a few far-sighted leaders of the church—the consolidation into one of all the Methodist churches throughout entire British North America. As early as 1871, four years after the political confederation of several British American colonies, the desire was making itself felt that beneath the flag of one Dominion there should be one mighty organization with the voice of prayer and praise and the proclamation of a free and full salvation by a living ministry, reaching from the shore of the Atlantic to the shore of the Pacific Ocean. The hope of 1871 got itself realized in 1883. On September 5th of that year "representatives of the Methodist Church of Canada, the Episcopal Methodist Church in Canada, the Primitive Methodist Church in Canada, and the Bible Christian Church in Canada met at Belleville, Ontario, to merge their previously divided interests, and to prepare to go forth with the united front of one consolidated, influential and aggressive church, the largest in its recorded membership, in the great Canadian Dominion, with the aim of spreading Scriptural holiness throughout a vast territory, and with the honor of having overcome obstacles to a general union for the pursuit of that grandest human purpose which Methodists in other lands have deemed impossible."

Educational work in Nova Scotia Methodism owes its origin to Charles Frederick Allison, a member of the Scotch-Irish family of that name first established at Cornwallis. In 1815 he settled in Sackville, New Brunswick. Some years later, through a serious illness, he

was visited by William Smithson, then stationed on that circuit, with whom he had become personally acquainted as fellow-worker in temperance reform. Entering into communion with the Methodist church he consecrated himself without reservation to God's service. From the beginning he recognised God's claims upon his wealth, and responded gladly to the claim "Ye are not your own" by his purpose to act in such a way as to him seemed best to glorify God. In 1828 the ministers of the Nova Scotia District resolved to establish a seminary competent to afford a thorough classical education, but no action was immediately taken. After several unsuccessful attempts had been made to establish Wesleyan day-schools, Mr. Allison addressed a letter in 1839 to the chairman of the New Brunswick District, stating his intention—long considered—to purchase a suitable site—and on it provide buildings for the establishment of a school in in which not only the elementary, but the higher, branches of education should be taught, to be altogether under the management of the British Conference in connection with the Wesleyan missionaries in the Provinces. With these proposals he connected the offer of four hundred dollars per year for ten years to aid the current expenses of the proposed academy. At the first intimation of Mr. Allison's purpose, a preference was expressed by some person for a site near St. John, but all discussion ceased when it had been distinctly stated that the donor's scheme had reference to the wants of Methodists in all the Maritime Provinces and not least to those of Nova Scotia, his native province, and that in his opinion, Sackville, as a central point, easily accessible to all who might wish to avail themselves of the proposed advantages, was the most suitable place. At a meeting of the three districts held the following summer at Halifax, Mr. Allison said "The Lord hath put it in my heart to give this sum towards building a Methodist Academy," and then, after a short pause, as though he had spoken too confidently, he added, "I know the impression is from the Lord, for I am naturally fond of money." Seven acres of land having been secured in a suitable situation, on July 9, 1840, a large number of persons assembled to witness the laying of the foundation stone. After devotional exercises and addresses, the stone was laid by Mr. Allison, who to the formula usual on such occasions added the words: "And may the education ever furnished by the institution be conducted on Wesleyan principles,

to the glory of God and the extension of His cause." Mr. Allison, having retired from business, gave his personal oversight to the new building, which when furnished was capable of accommodating eighty boarders, and was superior in adaptation to its purposes to any academic building in the Lower Provinces.

The work for which the first academy was established had not been long under way before the originators of the enterprise felt that their purpose was only partially accomplished so long as they were unable to offer equal advantages to the youths of both sexes. At a united meeting of the Nova Scotia and New Brunswick Districts, a resolution that an academy for females was necessary, and that the Methodist church is under obligation to meet that necessity, was unanimously adopted. Encouraged by Mr. Allison's generous offer of one thousand pounds sterling, the work was at once begun. The doors of the new establishment were opened to lady students on August 17, 1854, when Mary S. Adams, chief preceptress of the new school, was met by eighty pupils—a number much beyond expectation. The Rev. Dr. T. W. Smith, the historian of Methodism in Eastern British America, says of this institution: "For their educational enfranchisement women in the Maritime Provinces will ever be grateful to the Methodist educationalist at Mount Allison, who enjoy the distinction of being the first in the British Empire to give women the right of admission to the various degrees of a college course."

CHAPTER XVIII.

EDUCATIONAL.

The universities of Nova Scotia are not like those of most of the other Provinces—state institutions, under public control and dependent on public support. At the same time, it cannot be denied that they have played an important part in the development of our provincial history, and that an entire omission from the record of all reference to the work they have done would be most unjustifiable. Information as to their genesis, their struggles, and their achievements is submitted in the form of historical sketches kindly supplied by the authorities of the respective institutions. These sketches include a brief one relating to the University of Mount Allison College (Sackville, N. B.) which, though not territorially in Nova Scotia is affiliated with the Nova Scotia Technical College. Following the sketches, will be found reference to higher schools of special function which are strictly public and provincial in their character:

THE UNIVERSITY OF KING'S COLLEGE.

(A. W. H. H.)

After a chequered existence of a hundred and twenty-six years, King's College, the local habitation of the University which bears that name, shows no sign today of the vicissitudes through which it has passed. Throughout our Maritime Provinces no more charming spot can be found than the seat of the venerable institution which claims with so much pride the honour due to the oldest University in the British colonies.

The college settlement stands upon a broad plateau, a little outside the town of Windsor, Nova Scotia. Here, grouped the Collegiate School with its gymnasium and dormitories, the residence for girls, the picturesque stone chapel and Convocation Hall, the professors' houses, screened by flourishing maples and skirted by close cropped lawns. Here, too, in term-time, the tennis grounds and foot-ball field are noisy with the activities of students and school-boys who bring

the dominant note of the prevailing present into a spot so rich in memories of a historic past.

In the fore-front and conspicuous above all the rest stands the college building itself. It is an impressive, colonial structure, unpretentious in its architecture, but possessing a simple and sombre dignity significant of its past. Its only ornaments are the surmounting cupola, the broad portico with its high Ionic columns, and the corresponding porches fronting each of the bays. It overlooks green fields, sloping to the level meadows beneath. An avenue of magnificent elms, the growth of a century leads from the road below, to sweep on either side, in bold deflexion, along the college front. Beyond the meadows stretch retreating hills, mapped into parallels by fertile farms and receding to the mountains, misty and blue in the distance.

Very different its surroundings must have been when King's College first stood upon that hill-top. It is true that Windsor was a growing settlement even then. There were green fields to tell of the labours of banished Acadians and of the thrifty New England farmers who succeeded them. But much of the country was rough and unbroken. The elms planted by the sturdy settlers from Connecticut were mere saplings then. Throughout the greater part of Nova Scotia the country was a wilderness of rock and forest, marsh and stream unpromising to the eye of the cautious immigrant. Only six years before it had numbered, throughout the whole peninsula, not more than fourteen thousand inhabitants. Then in 1783, there poured suddenly into it over seventeen thousand people. Disbanded troops, they were, and loyalists. The latter had left homes and possessions in the severed American colonies that, under whatever circumstances else, they might at least pass their days amid British institutions and under British rule. They came with saddened hearts but with good courage to hew them rough habitations and to wrest a precarious livelihood among the rocks and forests of Nova Scotia.

It is to these loyalist refugees that King's College owes its beginning.

There had been an effort made in 1768 to induce the imperial government to provide a public school for the colony. At that time the inhabitants were mainly adherents of the Church of England. By an act passed in 1758 the Church of England was established as the fixed form of worship in the Province, although there were then no

colonial bishops and the church had no means of perpetuating its ministry. At this time it was proposed to found a collegiate school which should combine the education of youth with the training of candidates for the ministry of the church.

This plan was presented to the home government by the Governor and Council of the colony and Windsor was selected as the seat of the proposed seminary. But, while the government promised a liberal subsidy to the school it declined to take the initiative in founding it. The S. P. G. was also approached, but, owing to a temporary lack of funds, the matters was postponed for future consideration.

A few years later came the American Revolution, the independence of the seceding States and the flight of 17,000 Loyalists into Nova Scotia.

Before leaving their homes, eighteen loyalist clergymen met together in New York. Their object was to take steps toward securing the establishment of a colonial bishopric in Nova Scotia, in which Province they expected to make their homes, and also to arrange a plan for educational institutions to be connected with the new episcopate. The result of their conference was forwarded to Sir Guy Carleton, Governor of Nova Scotia, and by him passed on to the Prime Ministry of England, Lord North.

Prominent among these clergymen was Dr. Charles Inglis. He had been rector of Trinity Church, New York,and had won the unfavourable attention of the Revolutionary party by praying persistently for the King at his public services. He continued to do this even in the face of an armed body of revolutionary troops sent to intimidate him. He now returned to England and four years later was consecrated and sent to Nova Scotia as its Bishop. He was the first colonial Bishop of the English Church.

The new Bishop was energetic in behalf of the establishment of the proposed institution of learning. He pressed the project in the local Legislature and showed that the lack of a seminary for the education of the clergy would defeat one great object of the government in appointing him as Bishop, which was to provide for the ordination of clergy from the sons of the colony and thus to obviate the necessity for depending on England for the entire supply of the ministry.

The Bishop's arguments achieved their end. In 1787 it was

resolved by the Legislature that a public school be established at Windsor. The government voted an annual sum of money to cover the salaries of a clergyman of the established church who was to act as head master, and of a professor of mathematics and natural philosophy. Another grant was made to provide house rent. Thus the Collegiate Academy was opened at Windsor. The Lieutenant-Governor, the Chief Justice, the president of the Council and the Speaker of the House of Assembly were appointed its governing body.

The school opened in 1788. Rev. Archibald Payne Inglis, the Bishop's nephew, acted temporarily as head master, being succeeded after a year by the Rev. William Cochran, a Master of Arts of Trinity College, Dublin, whose honoured name is inseparably connected with the history of King's College. John Inglis, aged ten, afterwards third Bishop of Nova Scotia, was the first pupil enrolled.

The new academy flourished in spite of incidental difficulties. One of these was the scarcity of school books, even the most common of which were not to be had in the Province. After five years spent in the house of Mrs. Susanna Francklin, widow of the late Governor Francklin, the Academy was moved into the lately erected college building. Later on, however, a stone building was put up in which the school was housed.

In 1789 the provincial Legislature again took up the matter of the seminary for the training of the clergy and the higher education of young men. An act was accordingly passed for the permanent establishment and perpetual endowment of a college, which, it was hoped, might "by the blessing of God, become of the greatest public utility to the province and to his Majesty's neighbouring colonies." An annual endowment of four hundred and forty-four pounds, eight shillings and ten pence, halfpenny, current money of Nova Scotia was voted for its maintenance, as well as a sum not exceeding five hundred pounds, for the purchase of such a house, lot of ground and premises in the township of Windsor as the governors might choose. The Board of Governors was to consist of the Governor and Commander-in-Chief of the Province of Nova Scotia, the Lieutenant-Governor, the Bishop of Nova Scotia, the Chief Justice, the Secretary of the Province, the Speaker of the House of Assembly, His Majesty's Attorney General and His Majesty's Solicitor General. All the personages were to hold their places on the board only during the tenure of their

governmental posts, and they would be succeeded as governors of the college by their successors in office. The board was to have power to make statutes. It was to engage a president, who should also be a clergyman of the Established Church of England, and a staff of professors. And it was to have power to carry on the college until a royal charter could be obtained.

The establishment of the college seems to have been received with decided favour throughout the Province. Though the new institution was to be closely connected with the established church. Nonconformists joined with churchmen in pleasureable anticipations of its great benefit to all, and the custom's duty on "brown, loaf or refined sugars," by which its endowment was to be raised, appears to have instilled no bitterness into the sweetness of the colonists' matutinal tea-cups and to have put no rancours into the vessel of the colony's peace.

In 1790 the land was acquired on which the college now stands. Rev. William Cochran now left the academy to act as temporary president. The English government made a grant of four thousand pounds and a substantial building was erected. This building, which, with some necessary alterations, stands today, consists of a wooden framework with stone noggings between the studs, both in the main walls and in the partitions. It is clapboarded and sheathed throughout. After a hundred and twenty-five years it is still sound and in good repair and is apparently able to stand for another century.

A royal charter, promised in 1790, was not given until 1802. The college now became a university with the right of granting degrees and with all privileges enjoyed by the universities of Great Britain and Ireland. As the object of the university was stated to be the "educating of youth in the principles of true religion," as well as "for their instruction in the different branches of science and literature," the Archbishop of Canterbury was appointed to be Patron of the University and the Bishop of Nova Scotia, Visitor. All the statutes framed by the governors were subject to the Archbishop's approval, and he had power, at any time within three years from their enactment, to revoke any of them of which he did not approve.

The charter was accompanied by a grant of £1,000 per annum, which continued until 1834.

The work of framing statutes was undertaken. From among the

Governors, the Bishop, Chief Justice Blowers and Judge Croke of the Vice-Admirality Prize Court at Halifax were appointed a committee for that purpose.

Chief Justice Blowers had been a man of eminence in the New England colonies, who had been driven from his office and his home by the Revolution, and whose devotion to British institutions was strengthened by his sacrifices on behalf of them.

Judge Croke was an Englishman, an Oxford graduate, extremely conservative in his ideas, stubbornly tenacious of a standpoint once adopted and fiercely intolerant of opposition. He seems to have possessed in a high degree the restricted viewpoint and the incredulity as to the existence of anything worth considering outside his own vista, which is sometimes found to offset the many sterling qualities of English character. It is this characteristic which, well directed makes patriots, reformers, heroes, but which, misplaced, has been responsible for the clumsiest bunglings and the most calamitous failures. Judge Croke's firm conviction of the supreme superiority of English institutions and customs is not to be wondered at in the face of the rough surroundings and uncouth makeshifts which must have confronted him everywhere in the young colony; but his idea that laws and regulations, which prevail and are practical amid English conditions, must be equally practical and must perforce prevail amid the entirely different conditions of a new country, was the same blunder which had hampered his nation's progress in other colonies in the past and which she has now learned thoroughly to discard. The dull determination to persist in an unwise course had just lost the English nation her American colonies. The same spirit exuberant in Judge Croke now doomed the young university to many years of poverty and unpopularity, curtained her usefulness and left her encumbered by a weary inheritance of opposition, misunderstanding and prejudice. Even today when King's College has never stood higher in the respect of her constituency or enjoyed a wider appreciation of her merits and achievements, the result of Judge Croke's policy is still manifest in her restricted sphere of influence and her divided field of labor.

The connection of the new university with the established church was not resented by those who followed other ways. They were perfectly willing to educate their sons under Anglican auspices, pro-

vided that there should be no interference with their liberty of thought. Judge Croke, however, was determined that the statutes of the new college should be modeled faithfully on those of Oxford. Even those regulations which had originated in days of turbulence, sedition and fear, which had now outgrown their usefulness in the old country and were soon to be discarded there, were religiously reproduced by him. The long struggle of the Reformation, the Jesuit terror of Elizabeth's reign, the fratricidal conflict of the Civil War had left England a legacy of intolerance and suspicion. Religious disabilities were still a feature of English life and English law. Oxford and Cambridge still refused to admit Roman Catholics or Protestant dissidents from the established church. Judge Croke was determined that King's College should be modeled on Oxford in this respect also. One of the statutes fathered by him required of every matriculent his signature to the thirty-nine articles of the Church of England as a declaration of his belief in them. This requirement excluded all but adherents of the Church of England from an education in the university.

The Bishop saw the unwisdom of this statute and opposed it with all his power. His broader mind recognized the injustice of prohibiting the privileges of the university to a large class of persons who had willingly supported its establishment and had cheerfully submitted to taxation for its support. But Judge Croke was persistent, pugnacious and successful.

The members of the governing board, from the lieutenant-governor, Sir John Wentworth, down, were men who had suffered and sacrificed much on behalf of their loyalty to English rule. To them English institutions were almost sacred. Moreover, they shared an idea, possibly true at some former periods of English affairs, but a gross misconception then—that "the immovable loyalty of the inhabitants of the Province would be in exact proportion to the influence of the established church."

The governors supported Judge Croke's statute against the vigorous protest of the Bishop. They refused to consent to the Bishop's demand that his protest should be attached to the copies of the statutes which were circulated among the people.

But the Bishop had one resource left to him. By the charter of the university, the Archbishop of Canterbury, as its patron, had the

power of revoking any statutes of which he disapproved. The Bishop now appeals to him, and after several years, during which one Archbishop died and another took his place, his protest was effectual and the obnoxious statute was repealed.

The new statutes, framed in England, left much to be desired. While they enabled any young man to receive an education at the college without religious tests, they prevented the students from attending what places of worship they chose, and they still insisted upon the thirty-nine articles as a necessary preliminary to a degree. They were satisfactory to no one. Judge Croke protested against their undue liberality. The Bishop, from directly opposite considerations declared, "They are all very well as far as they go, but they do not go far enough."

Meanwhile, the effect of the original statutes had been disastrous. Their publication had resulted immediately in a startling decrease in the number of students which had gone on ever since. During the twelve years between the founding of King's and their enactment no less than two hundred and sixteen students had passed through college. Mr. Cochran was still vice-president and under his able management the college enjoyed the confidence and good will of all. But with the imposition of the offensive statutes the annual enrollment at once decreased to about a sixth of its former average, and for years the only students were those who had matriculated from the Collegiate School at Windsor.

Defective as the new statutes might be, they were at least superior to the old, and had they been published at once they might have counteracted this alarming diminution in the number of students. But the stars in their courses seemed to fight against the university's welfare. The Bishop was now seventy-three years old and compelled by his rapidly failing health to retire from the exposed situation of Halifax, the centre of all colonial activities, to a more sheltered location at Aylesford, ninety miles away. For a man of his age and infirmities the journey from Aylesford to Halifax became more and more an impossible one. He died in 1816, and his successor, Dr. Stanser, after a year's experience of the hardships of his diocese, returned to England in ill health and remained there until his resignation, seven years later. Through all this time the diocese was practically without a Bishop. The control of the college was in the hands

of the ruling political powers. The church had little to do with its management. While the president and vice-president were on its board of governors they formed a small minority. The responsibility for its policy during all these years rests entirely with the officials of the provincial government, who formed its governing board.

Under these circumstances the Archbishops amendment of the statutes received scant courtesy. While the new statutes were formally adopted by the governors in 1807, they were not printed until thirteen years later. During that time the original statutes were allowed to circulate uncorrected among the people. They were generally supposed to be still in force unaltered and the number of students continued to be lamentably small.

In the meantime the appointment of a president had been considered and settled. Mr. Cochran the acting president had been the choice of the Bishop. By ability, education and experience he was ably fitted for the position. He had acted as president of the college for fourteen years with great success. Among the students who had graduated under his training were many who afterwards distinguished themselves in the church, on the bench and in the state. However, Mr. Cochran was a graduate of Trinity College, Dublin, and the governors were predisposed in favour of an Oxford graduate. Moreover, he had made himself obnoxious to Judge Croke by unfavourable criticism of the statutes, and largely by the exertions of that gentleman the Bishop's recommendation of the acting president was disregarded. On the nomination of the Archbishop of Canterbury, Dr. Cox, an Oxford man, was appointed president in 1804, but he died about a year after entering upon his office. He was followed in 1806 by the Rev. Charles Porter, D. D., also an Oxford man, who remained in office for thirty years. Mr. Cochran accepted the office of Vice-President and the professorship of grammar, rhetoric and logic. Until his resignation in 1831 Mr. Cochran was undoubtedly the main stay of the college's educational work.

In October, 1816, Lord Dalhousie became lieutenant-governor of Nova Scotia. By virtue of his office he was a member of the King's College governing board. In spite of this fact, however, he seems for some time to have been unaware of the existence of the amended statutes. He was interested in procuring the best educational facilities possible for the province, and resented the religious tests which he

supposed to be in full operation at King's. He resolved to use a fund which was at his disposal for educational purposes, in founding a new seminary at Halifax which should be without religious affiliations and non residential. The governors now became awakened to the disastrous effect of the restrictive statutes and Chief Justice Blowers, one of their original framers, seconded the vice-president's motion for an application to the Archbishop of Canterbury for their repeal. This application was rejected. Lord Dalhousie thereupon proceeded with his plans for the new seminary. Its corner stone was laid in 1820. It was called after its founder and has now become the university still bearing his name.

The new college of Dalhousie was not opened for seventeen years after its foundation. Twice during that time, once in 1823 and again from 1829 to 1837, great efforts were made to accomplish a union between the two institutions as it was considered that the country was unable to support them both. The question of religious disabilities was no longer a burning one. The governing body of King's was now thoroughly anxious to get rid of them and succeeded in doing so a few years later after the imperial government's repeal of the Test Act in 1828. But the proposed union would have implied the entire severing of the connection of King's College with the Church of England. And she has always replied to such proposals of union, that, as she was first formed and endowed for the training of the clergy of the Anglican Ministry and for the education of youth in the principles of the Anglican Church, her acceptance of such terms would imply a violation of the conditions of her charter and a breach of trust.

On the resignation of Bishop Stanser in 1824, the Rev. John Inglis, son of the first Bishop, became third Bishop of Nova Scotia. He himself was a former student of King's College and a zealous worker in its behalf. He brought with him a thousand pounds from the two great missionary societies of the English church and four thousand more contributed by individual churchmen. The British government also promised further support. As visitor the Bishop's able supervision made itself felt. Any weakness consequent on the lack of episcopal oversight were promptly overcome. Within the college order improved and efficiency developed. The staff of professors and tutors was considerably enlarged. Financially, also,

prospects were encouraging. The number of students increased and the college grew in popular favour.

While affairs at Windsor were thus happily improving their progress once more hampered by a second attempt to secure the union of King's with the still inoperative foundation of Dalhousie. This effort did not originate in Nova Scotia but in England. The Ministers of the imperial government had formed the impression, from what sources it is impossible to say, that the union of the two colleges had been a matter of much controversy in the Province and was greatly desired by the Legislature and by a large portion of the people of Nova Scotia, and that the surrender of the charter of King's College was equally desired as the first necessary step towards the accomplishment of that union. This supposition was entirely incorrect as controversy on the subject was totally unknown in Nova Scotia at that time. Under this mistaken impression the Ministers of the Crown over a period of seven years, persistently urged the governors of the university to surrender their charter and, moving the college to Halifax bring it into union with Dalhousie. The governors with the Bishop steadfastly refused to yield to the pressure of the English Ministers. The provincial government supported them in their position. In 1836 the Ministers dropped the matter, but the annual grant of £1,000 from the imperial government was withdrawn.

The removal of the grant was not the only adverse result from this hostile policy of the English Ministers. The invariable result of an agitation or amalgamation has been to decrease popular confidence in the security of the college for the time being and to diminish the number of students. Under the care of Bishop Inglis the attendance at college had been gradually recovering from the mischief wrought by illiberal statutes and the lack of Episcopal supervision. Now, under the pressure of the English Ministers, it grew steadily less and it was not until the question of union had finally ceased that the number of matriculants began once more to increase.

The removal of the government grant was not really so serious a calamity as it seemed. Its place was taken by generous gifts from the two great English missionary societies. Other gifts and legacies still further improved the prospects of the college, so that in 1841 the governors were able to add a professor of modern languages to the staff.

At this time the visitor's fund was instituted. This fund was formed from the unused surplus of grants made from year to year by the S. P. G. and S. P. C. K. for divinity scholarships. In 1889 it amounted to about $44,000.

In 1846 it became necessary for the S. P. G. to withdraw its grant of £450 per annum. To counteract this loss steps were taken to form an association of the Alumni. This association was incorporated in 1847, persons of all religious denominations being eligible for membership. One of the first steps taken by it was to raise an endowment of £10,000. A chair of science, the first in the Maritime Provinces was then established, with the best equipment possible at the time.

In 1836 Dr. Porter resigned the presidency. Rev. G. McCawley, D. D., succeeded him as president. Dr. Cochran, after forty years of service had given up his work at the age of seventy-five, four years before.

The death of Bishop John Inglis in 1850 deprived the college of a faithful, active and zealous friend. During the twenty-six years of his episcopate the college had passed through many vicissitudes and experienced many reverses, but his energy, courage and wisdom had brought it through them safely, and at his death he left it placed in a condition of more real prosperity than ever before in its existence.

That prospertiy, however, was not long to be uninterrupted. In 1851 a bill was passed in the provincial Legislature withdrawing the grant of £400 per annum, which the college had received since its foundation. The Rt. Rev. Hibbert Binney, D. D., who succeeded Bishop Inglis, found this situation awaiting him on his arrival in July of the same year.

The financial connection between the university and the provincial government was now severed. Under these circumstances it seemed incongruous that the college should still be governed by a political committee which was in no wise attached to it by personal sympathies or religious convictions. The friends of the college accordingly looked for a means of freeing it altogether from political control. In 1853 they were successful. By act of Legislature and by Royal assent the control of the University was henceforth transferred to a new Board of Governors elected by its own Alumni. Its connection with the church was confirmed by several provisions. Its governors were to be members of the Church of England. The Bishop of Nova Scotia

was to continue to be its visitor. Its loyal charter was secured and it remained under the protection and patronage of the Archbishop of Canterbury, so far as his protection should be desired.

During the ten years following the inauguration of the new board the number of students was doubled and the affairs of the university flourished. The Alumni raised $40,000 for additional endowment. A number of permanent exhibitions and prizes were given. Several professors' houses were built and the handsome stone Convocation Hall was erected. In this building was placed the library, one of the finest collections in Canada, containing many rare and valuable books.

Each contributor of $400 to the endowment fund received the privilege of nominating a student to pass through college without payment of fees. Eighty nominations were secured by this method. In course of time more than double the value of the original amount subscribed has been given, by this means, in free education.

In 1875 Dr. McCawley resigned. He was succeeded by the Rev. John Dart, M. A., Oxon, who resigned in 1885 and afterwards became Bishop of New Westminster. During his regime the Hensley Memorial Chapel was erected in memory of Dr. Hensley, a former professor, at a cost of $14,000, the greater part of which was met by the generosity of the late Edward Binney.

In 1885 another effort was made to secure amalgamation with the University of Dalhousie. In the same year the Synod of New Brunswick recognized King's College as the accepted training school for that diocese. An effort made by the Alumni led to a considerable increase of endowment.

Bishop Binney died in 1887. He found King's College depressed by the withdrawal of the provincial government grant. He left it increased in efficiency and strengthened financially, its staff more than doubled, its funds trebled. He was succeeded in 1888 by the Rev. Frederick Courtney, S. T. D., an Englishman of great talent, who was called to the Episcopate from a rectorship in the American church. On his resignation in 1904 his successor was Rt. Reverend Clarendon Lurello, D. D., who afterwards became Archbishop of Nova Scotia, and who still occupies that eminent position.

In the presidency, Dr. Dart was succeeded in 1885 by Rev. Isaac Brock, M. A., who, on his resignation in 1888, was followed by Rev.

C. E. Willets, D. C. L., a Cambridge graduate, formerly head master of the Collegiate School. Dr. Willets retired from the presidency in 1904, retaining the chair of Classics, which he had previously filled. During his presidency, in 1890, the college celebrated its centennary. In 1892 another attempt at federation of the college of King's and Dalhousie was made. Dr. Willets was succeeded in 1904 by Ian C. Hannah, Esq., M. A., of Cambridge, who remained in office until 1906. Rev. C. G. Boulden, M. A., also of Cambridge, followed in 1906, but was removed from the presidential chair by death in 1910. Rev. T. W. Powell, M. A., of Trinity College, Toronto, entered next upon the presidency in 1910, resigning in 1915. He was followed by Rev. T. Stannage Boyle, D. D., of Trinity, who still occupies the post.

In 1907 the number of students was greater than ever before in the history of the university. It continued increasing each year, until the outbreak of the war. Within the next two years probably every student who was physically fit, as well as several of the staff, volunteered for service. An officers' training corps was organized in 1915, but disbanded next year as all its officers and members had volunteered for the front. Nevertheless, the college continues to do its work as usual, with reduced numbers but with undiminished confidence in the future.

In 1911 a new wing upon the main building and later a residence for girls, were added to accomodate the constantly increasing number of students. A forward movement on behalf of the college was organized by Dr. Powell, then president, by which an endeavor was made to reach all members of the Church of England in the Maritime Provinces and to obtain their help for their University. In response to this movement a considerable increase of endowment has been already obtained. This movement disclosed a wide-spread loyalty to King's College, a confidence in its thoroughness and efficiency which increases ever with increasing knowledge of its work, and a deep appreciation of the service it has rendered to the Church of England in the Martime Provinces.

For over a century past King's College has stood at the springs of the spiritual life of the diocese of Nova Scotia. It has given to the Church of England in that Province many eminent, zealous and loyal laymen, many scholarly, earnest and self-sacrificing clergy.

The great majority of the clergy have been its students and among its graduates are numbered many of the most distinguished of those who have laboured in the ministry in this Province. Their work has been one of the most influential factors in the building of the Church in this Diocese. There are few of its large and flourishing parishes today which do not owe their present strength and prosperity to the care and devotion given them through many tedious years of growth, by King's College men. There are few of its arduous country missions whose struggle from wilderness to fertility has not been shared in by missionaries from King's College.

Today, in spite of the depression caused to all educational institutions by the war, the outlook of the college is probably more hopeful than ever before in its history. It has safely passed and surmounted the results of the worst blunders which can possibly imperil its career, It has survived the most dangerous crises which are likely to befall it. While not beyond the need of help, it possesses today an increased endowment, a competent staff of nine professors, besides lecturers and tutors, and a renewed assurance of the loyalty and confidence of its constituency, the members of the Church of England. With a standard of honour and truth, and the love of its people, and trust in the blessing of God, what can the future seem but bright before it?[1]

KING'S COLLEGE MEN WHO HAVE WON DISTINCTION.

King's College, during the course of its history has sent forth many sons who have distinguished themselves in various walks of life and have reflected credit upon their *Alma Mater.* Unfortunately there is no complete list of the students—about 200 in number—who entered before the granting of the charter in 1802, but more than half of them are known, and they include representatives of most of the Loyalist families of the Maritime Provinces.

Bishop John Inglis, son of Bishop Charles Inglis, who was born in New York, in the year 1777, and was a little more than ten years old when he was placed by his father at the academy at Windsor, under the care of its first head master, the Rev. Archibald Payne

[1] In preparing the above compilation the following works have been used:
"A Brief Account of the Origin, Endowment and Progress of the University of King's College, Windsor." Thos. B. Akins.
"The University of King's College." H. Y. Hind, D. C. L.
"The University of King's College, Windsor." Rev. Francis Partridge, D. D.
"King's College, a Retrospect." Rev. F. W. Vroom, D. D.

Inglis. He afterwards studied at the College under Dr. Cochran, and was ordained to the diaconate by his father as soon as he was of the canomical age of 23 and became rector of St. Mary's Church, Aylesford, near "Clermont," the Bishop's country house. He visited England in 1800, and it was largely through his efforts that the library of the college was founded. Alexander Brymner, Esq., having given £100 to fit up a room for library purposes. He became rector of St. Paul's, Halifax in 1816, and during the latter part of his father's episcopate he acted as ecclesiastical commissary, and filled the same office under the second bishop. After the death of Bishop Stanser, John Inglis was appointed his successor, and was consecrated at Lambeth, March 27, 1825. He was a man of excellent ability, sound learning and good judgment, and ruled the diocese with wisdom and zeal for twenty-five years. He died October 27, 1850.

Major General James Robertson Arnold, was a son of the celebrated Benedict Arnold. After leaving college he entered the army in 1798 and served in the Egyptian campaign in 1801. Later on he won distinction in the West Indies and was presented with a sword of honour for his gallantry. He was in Halifax in 1825-26, as colonel in command of the engineers. He died in England.

Colonel de Lancey Barclay was the son of Thomas Barclay, a New York Loyalist, who settled in Nova Scotia. He fought under Wellington and won distinction on several occasions, especially at Waterloo. He became A. D. C. to the Duke of York, afterwards George IV.

The Rev. Benjamin Gerrish Gray, D. D., was appointed master of the Academy in 1802 and assistant teacher of Latin. He was the first librarian of the college, and there is in the library a catalogue prepared for Sir John Wentworth in 1803, which is the work of Mr. Gray. It is a beautiful piece of penmanship and is adorned with several water-colour sketches of considerable merit, by his hand. He was ordained by Bishop Inglis and served first at Preston then at St. George's, Halifax, and afterward as rector of St. John, New Brunswick.

The Ven. George O'Kill Stuart, was a son of the Rev. John Stuart, of Kingston, Upper Canada. He was ordained by Bishop Mountain and was appointed to York in 1801, and in 1812 was made

rector of Kingston and Archdeacon. In 1827 he received from his *Alma Mater* the honorary degree of D. C. L.

Sir James Stuart, Bart, was a brother of the Archdeacon and chose the legal profession. He became Attorney General of Lower Canada, and in 1849 was made Chief Justice of the Court of Queen's Bench of Quebec. He received the honorary degree of D. C. L. with his brother in 1840, and was made a baronet, being the second in Canada to receive that honor.

The Hon. Charles R. Fairbanks studied law and was admitted to the Nova Scotia bar in 1810. He was member for Halifax for several years, and on the death of Judge Archibald became Judge of Vice-Admiralty and Master of the Rolls.

The Hon. Richard John Uniacke was also a member of the legal profession and was admitted to the bar the same year as Mr. Fairbanks. He was for a time Attorney-General of Cape Breton, and after that Island became a part of Nova Scotia he sat in the assembly as its representative for ten years. It was he who in 1827 moved for the abolition of the test oaths which discriminated against Roman Catholics. He was raised to the Supreme Court bench in 1830, but died at the age of forty-eight.

The Hon. Henry Hezekiah Cogswell was a Halifax barrister and represented Halifax in the House of Assembly, and was afterwards made a member of the Council. He was for many years president of the Halifax Banking Company. When the Alumni Association was formed in 1846 Mr. Cogswell was its first vice-president. He received the honorary degree of D. C. L. in 1847. Mr. Cogswell had three sons of more than ordinary ability, all of whom graduated from King's College. Of these William, the eldest, entered holy orders and was very highly esteemed as assistant minister at St. Paul's, Halifax, Charles chose the medical profession and settled in London, where he was well known in scientific circles, and the younger son, James C., became a barrister, taking his B. C. L. and D. C. L. in course in 1858, and was for some years secretary of the college.

General William Cochran obtained a commission in the 40th (2nd Somerset) Regiment in 1805, and served under Wellington in the Peninsular War. He attained the rank of Major General in 1856 and died in 1858.

Chief Justice Thomas Cochran was the eldest son of the Hon.

Thomas Cochran, M. L. C., and was born in Halifax 1777. He went to England in 1795 and was entered as a student at Lincoln's Inn. He was called to the bar in 1801 and the same year was made Chief Justice of Prince Edward Island, the youngest to attain that dignity, probably in the history of England and the colonies.

Among the early students after the charter may be mentioned:

The Hon. Andrew William Cochran, who was born in Windsor in 1792 and was son of the Rev. William Cochran at that time president of the college. He was made assistant civil secretary to the lieutenant-governor of the Province, Sir George Prevost, and law clerk to the Legislative Council. Afterwards he removed to Quebec and became a member of the Executive Council of Lower Canada. He was a trustee of Bishop's College, Lennoxville, and president of the Quebec Library Association. He died in 1849.

Chief Justice Sir James Cochran, who was a college contemporary with the last mentioned, was no relation, but was a brother of Thomas and William Cochran. He was admitted to the Nova Scotia bar in 1817 and afterwards to the English bar, and in 1829 he became Attorney General of Gibraltar. He was appointed Chief Justice of Gibraltar in 1841 and resigned in 1877. He was made a Knight Bachelor in 1845, and died in England in 1883.

The Rev. John Thomas Twining, D. D., became assistant master of the Academy of Windsor in 1814 and was afterwards garrison chaplain at Halifax, master of the Halifax Grammar School and chaplain of the House of Assembly. He was the people's choice for rector of St. Paul's when Dr. John Inglis was made bishop, but was passed over.

The Hon. Justice William Blowers Bliss was an accomplished scholar and a distinguished jurist, and was for some years a judge of the Supreme Court of Nova Scotia.

Thomas Chandler Haliburton, the first Nova Scotian to attain literary fame, was born in Windsor in 1796 and entered King's College in 1810. He was made a judge of the Supreme Court in 1841, but resigned in 1856 and went to England, where he sat in Parliament as member for Lancaster from 1859 to 1865.

Chief Justice Robert Parker, and his brother, the Hon. Neville Parker, Master of the Rolls in New Brunswick, were contemporaries of Judge Haliburton and were both elevated to the Supreme Court of their native Province.

The Rev. J. W. D. Gray, D. D., was a son of Dr. Benjamin Gerrish Gray, and like his father, became rector of Trinity church, St. John.

The Rev. Robert Fitzgerald Uniacke, for many years rector of St. George's, Halifax, and his brother, the Hon. James Boyle Uniacke, Attorney General of Nova Scotia, were classmates from 1814 to 1818 and were both prominent citizens of Halifax.

The Hon. Justice Lewis Morris Wilkins, said to be the last judge of the old school, was just a year the junior of the two last mentioned. He held a prominent place in the political history of the Province and was leader of the government before he was raised to the bench. He was the last of the life-members of the board of governors under the Act of 1853.

The Rev. Edmund Albom Crawley was for several years a lawyer in Halifax, and was a member of St. Paul's church when the trouble arose over the refusal of the Crown authorities to appoint Mr. Twining as rector. In company with several other men of influence in the congregation, Mr. Crawley left the communion of the Church of England and associated himself with the Baptists. He afterwards became a Baptist minister and in 1839 was one of the founders of Acadia College and was for years a member of its staff.

The Rev. George McCawley, D. D., who matriculated in 1817 and took his degree in 1821, was a man of exceptionally varied scholarship. He held the position for a time of professor of Hebrew and Mathematics in King's College, Fredericton, and in 1836 was appointed to succeed Dr. Porter as president and professor of classics at King's College, Windsor. This position he held for nearly forty years, resigning in 1875.

Martin I. Wilkins was a brother of Lewis Morris Wilkins, and was at one time Attorney General of the Province and later held the office of prothonotary.

Major Augustus Frederick Welsford was born in Windsor, where his father, Major John Walsford of the 10th Regiment, was stationed at Fort Edward, in 1812 and matriculated in 1828. He left college before taking his degree and entered the army and fell in the Crimean War, gallantly leading his men in an attack upon the Redan.

The Right Rev. Thomas George Spink Suther was the son of

a surgeon in the navy and was born in Edinburgh. He matriculated in 1829 and took his degree in 1833. He afterwards returned to Scotland and became Bishop of Aberdeen.

The Hon. William Johnston Almon is well remembered in Halifax as a physician, a political leader and an authority in local history. He was appointed in 1879 to the Senate of the Dominion and died at a good old age. He was one of the founders of the Nova Scotia Historical Society.

Sir John Eardley Wilmot Inglis, K. C. B., was, in the opinion of Dr. A. W. Eaton, "the most distinguished person that ever studied at King's College." He was a son of Bishop John Inglis, and was a classmate of the late Canon Maynard, and numbered among his fellow-students Dr. Fraser, of Windsor, Bishop Suther, Senator Almon, Canon Townshend of Amherst and the Rev. J. J. Ritchie of Annapolis. He left college in 1833, two years after his matriculation, to enter the army, and was with the Thirty-second Regiment in Canada during the rebellion of 1837. He served several years in India and at the outbreak of the mutiny was a colonel at Lucknow and on the death of the O. C., the command fell upon him. For his gallant defence he received the rank of Major-General and the K. C. B. His health was shaken, however, by what he had gone through, and he died at the age of forty-four. The sword which he wore during the siege—a Sikh weapon—hangs in the college library. He was given the honorary degree of D. C. L. in 1858.

Of the men of later date, it is sufficient to mention the names of Philip Carteret Hill, sometime Provincial Secretary, who was the first student to matriculate under Dr. McCawley; Benjamin Curren, a well-known resident of Halifax, who took his D. C. L. in course in 1864; Edwin Gilpin, D. D., master of the Halifax Grammar School and successively Archdeacon and Dean of Nova Scotia; George W. Hill, D. C. L., sometime rector of St. Paul's and first and only chancellor of the University of Halifax; Charles W. Weldon, N. P., for many years a prominent lawyer in St. John, N. B., distinguished for taking an *optime* degree; Robert Grant Haliburton, a son of J. C. Haliburton, distinguished as a writer and scientist; John Manuel Hensley, D. D., professor first of mathematics and afterwards of divinity at King's College and canon of St. Luke's Cathedral; Judge Alfred W. Savary, D. C. L., of Annapolis Royal, one of our best

local historians; George Wright Hodgson, a brilliant scholar, an eloquent preacher and a wise and faithful pastor, late incumbent of St. Peter's church, Charlottetown, and founder of St. Peter's school; Sir Charles J. Townshend, Chief Justice of Nova Scotia and chancellor of the University of King's College; Henry S. Poole, D. Sc., formerly inspector of mines in Nova Scotia; Sir Frederick W. Borden, M. D., former minister of militia; Edwin Gilpin, son of Dean Gilpin, and late commissioner of mines for the Province.

DALHOUSIE UNIVERSITY.

(H. N.)

Dalhousie College was founded in 1818 by the Right Honorable George Ramsay, ninth Earl of Dalhousie; the funds for the fundation had been supplied by citizens of the newly established republic to the south. It is to be regretted that it cannot be said that the motive which influenced them in this action was a desire to extend the blessings of higher education to their more backward neighbors, although they had given evidence of their own appreciation of these blessings by their founding of Harvard College nearly two centuries before this, and by following this up with Yale, Princeton, Columbia and a few more within the space of a hundred and twenty years. Some other explanation must be found.

As the early part of the twentieth century finds Britain with her attention pretty fully occupied in trying to confine within reasonable bounds the ambitious plans of the second William of Germany, so the opening of the nineteenth century found her with her attention similarly occupied with the first Napoleon of France. To many Americans this seemed to furnish an excellent opportunity for relieving Britain of the burden of her colonial possessions on this continent by annexing them to the American Union. Then, as now, the shipping of neutrals was being interfered with. The British were then insisting on searching American vessels on the high seas and removing British deserters found on them. With this for a pretext the Americans in 1812 declared war on Britain; and started in to capture Canada. Their attacks were for the most part confined to the upper Provinces. While they were vainly trying to effect the annexation by attempted invasions of these Provinces, Sir John Sher-

brooke, who was then Lieutenant-Governor of Nova Scotia, setting out from Halifax with a small fleet in the summer of 1814, succeeded in taking possession of that large section of Maine which lies to the east of the Penobscot river, and appointed one of his officers as Governor to administer the newly acquired territory. This territory was kept possession of until the end of the war; the little town of Castine at the mouth of the Penobscot was made the sole port of entry, and the duties collected there, amounting to some £12,000, were at the close of the war brought back to Halifax. After the expenses of administration had been deducted, there remained the sum of £10,750. This, which was given the name of the "Castine Fund", the Imperial Government directed should be expended "in defraying the expenses of any improvement which it may be deemed expedient to undertake in the Province".

When Governor Sherbrooke's term of office expired in 1816, the way in which this money should be expended had not been agreed upon. Not that he had not been seeking a solution of the problem. As the result of his pondering over it he had put forward various suggestions, such as the establishing of a House of Industry, the founding of an Alms House, or putting it into the projected Shubenacadie Canal, none of which, however, had met with the approval of his Council.

In October of 1816 Lord Dalhousie arrived in Nova Scotia to assume the governorship of the Province. Among the problems which he found confronting him was the proper disposition of this Castine Fund. After giving the matter his serious consideration, he decided that the money could not be expended in any better way than in the cause of education. A seminary for the higher branches of education was, he felt, much wanted in Halifax. Among the convictions which forced themselves upon him as the result of his study of the whole question of higher education in the Province were the following: that one university would be found amply sufficient for the needs of the Province; that to attempt the maintenance of more than one would be unwise; that the university should be non-sectarian in character, and that no one should be excluded from participating in its benefits by reason of his religious tenets or affiliations; that the proper location for the provincial university was the metropolis, where the benefits conferred by such an institution would be

available for the greatest number, and where volunteer assistance on the part of men engaged in the various professions could be most confidently counted upon for the giving of instructions in their own particular lines.

On his arrival in the Province he had found one institution endowed with university powers already in existence. Nearly thirty years before, in 1789, the University of King's College had been founded at Windsor, and it had been in continuous operation since its opening in the following year. Much as Dalhousie disliked the idea of establishing a second university in so small a field, he found a serious objection to King's in its isolated position, and a much more serious objection in the very decided sectarian character of the institution, from the benefits of which, according to the statutes adopted by its governors in 1803, all were excluded who did not subscribe to the "Thirty-nine Articles" of the Church of England, and who did not refrain from "frequenting the Romish Mass or the meeting-houses of Presbyterians, Baptists, or Methodists, or the Conventicles or places of worship of any other dissenters from the Church of England, or where divine service shall not be performed according to the liturgy of the Church of England." As the dissenters, who were thus barred out from the privileges of the new University, constituted some four-fifths of the population, and as their representatives in the Legislative Assembly had cordially cooperated with the churches in furthering the establishment of the institution, it is scarcely to be wondered at if these regulations gave rise to much disappointment and dissatisfaction.

One of the results arising from this attitude on the part of the governors of King's College was the founding of the Pictou Academy in 1816. This institution was opened in 1818 under the principalship of the Rev. Dr. Thomas McCulloch. Its founders were disappointed in their hope of obtaining university powers, although collegiate work was carried on in it so successfully that a number of its students passed the examinations of the University of Glasgow for the Master of Arts degree.

Another of these results, and one with which we are more immediately concerned, was the founding of the institution now known as Dalhousie University, but which, first of all, was given the name of "St. Paul's College" from its situation on the "Grand Parade" fac-



MACDONALD MEMORIAL LIBRARY AND SCIENCE BUILDING—DALHOUSIE,
Halifax, N. S.

ing St. Paul's Church; and afterwards the "Halifax College". The name of "Dalhousie College" was definitely fixed in 1821 by the Act which incorporated the Board of Governors.

Various letters of Lord Dalhousie show that, before deciding upon the establishment of a new university, he had carefuly considered the possibility of having King's College transplanted to Halifax, where its advantages would be more accessible, and of having it pruned of its extreme sectarian features. If this idea of the Governor could only have been carried out, the question of the disposition of the Castine Fund would have been solved forthwith, the need of this chapter for this book would never have arisen, and our legislators and others interested in education would have been spared many a knotty and perplexing problem which has arisen to harass them since that time. As the obstacles to this scheme, however, appeared insuperable, it was abandoned, and the establishment of a new institution was determined upon. Accordingly in 1818 after the approval of the Council and of the Imperial Gvernment had been obtained, the Castine Fund was divided into two parts. £1,000 was taken for the support of the Garrison Library which was then being established; the other part amounting to £9,750 was appropriated to the founding of "a College on the same plan and principle of that of Edinburgh". The institution, it was announced, was to be one "in which the advantages of a collegiate education will be found within the reach of all classes of society, and which will be open to all sects of religious persuasion". This he declares to be "an object more likely than any other I can think of to prove immediately beneficial to this young country". The northern end of the Grand Parade, where the City Hall now stands, was assigned as a site for the new College, and 1819 a commencement was made upon the building. On the 22nd of May, 1820, the corner-stone was laid by Lord Dalhousie with imposing ceremonies. In the address which he delivered on this occasion he emphatically disclaimed the idea that the new College was intended to oppose the College already established at Windsor. After stating the purpose of it, he went on to say, "It does not oppose the King's College at Windsor, because it is well known that College does not admit any students unless they subscribe to the tests required by the Established Church of England, and these tests exclude the great proportion of the youth of the Province. It is

therefore particularly intended for those who are excluded from Windsor".

Almost immediately after the laying of the corner-stone, Lord Dalhousie, who had been appointed Governor-General of British North America, was called away from Halifax to Quebec to enter upon the duties of his new office. Before the laying of the corner-stone he had instituted inquiries in the mother-land with a view of securing a suitable man to take the principalship of the new College in the following year, but after his departure from the Province this quest was discontinued, and the infant institution, left without his paternal oversight and care, was suffered to droop and languish.

The Board of Governors appointed by the Act of Incorporation in 1821 consisted of the Governor-General of British North America, the Lieutenant-Governor of Nova Scotia, the Bishop of Nova Scotia, the Chief Justice, the president of the Council, the treasurer of the Province, the Speaker of the House of Assembly, and the president of the College. These were of course appointed at the suggestion of Lord Dalhousie, and this is the one matter in connection with the College in which his judgment showed itself sadly at fault. How this was so, may appear as we proceed. As there was at this time no president of the College, and as it required a period of some weeks to communicate with the Governor-General, all business practically lay in the hands of the remaining six. These, seeing the difficulties which attended the supporting of the one then-existing college, and considering that the maintaining of two colleges in the Province was a hopeless task, made no attempt to put the newly founded institution into operation, but contented themselves with making overtures to the governors of King's, looking towards a combining of their forces for mutual benefit. The majority of the latter body were not insensible to the advantages of union and the dangers of division and rivalry, especially as the declining state of their College at this time, both as regards revenues and number of students, had begun to excite the gravest anxiety as to whether the institution could continue to exist. A basis of union was accordingly drawn up by a joint committee. Outside of requiring that the united institution should be in Halifax.

The governors of King's as given in its charter were: the Lieutenant-Governor of Nova Scotia, the Bishop of Nova Scotia, the

Chief Justice, the judge of the Court of Vice-Admiralty, the Speaker of the House of Assembly, the Attorney-General, the Solicitor-General, and the Provincial Secretary. These had it in their power to add the president of the College and three others of their own choosing. It may be found of some interest to compare this list with that of the governors of Dalhousie as given above. It will be seen that practically two-thirds of Dalhousie's board had been, and still were, members of the board of King's, that its classes and degrees, excepting those in divinity, should be open without any religious test to all persons of good moral character; and that the Halifax institutions should be preserved from utter oblivion by the adoption of the name of "The United Colleges of King's and Dalhousie"; the basis went to the utmost limit in trying to meet the wishes of the Episcopalians, into whose hands was to be entrusted virtually the entire government of the united colleges.

These terms of union were actually agreed to by the Governors of Dalhousie College, after Lord Dalhousie had been communicated with and had signified his assent. They were also approved by the majority of the governors of King's, but the vigorous opposition of a small majority (the principal member of which was also a member of the board of Dalhousie), received the approval of the Archbishop of Canterbury when the proposals were submitted to him in the summer of 1824 and his veto proved an effectual barrier to the scheme. Moreover, the arrival from England, in the spring of the following year, of Bishop Inglis bringing with him the sum of £4,000 collected for the assistance of King's, had a marked effect in cooling the ardour for union which the previous outlook had kindled in the minds of the governors of King's.

After this remarkable exhibition of strenuous labor on behalf of the infant institution entrusted to their care, the Dalhousie Board of Governors must have felt the need of a good long rest, for they took one which extended over half a decade. The question of union was revived, however, in 1829. Owing to the unending squabbles, complaints and petitions on the part of the supporters and opponents of the institutions at Windsor, Pictou, and Halifax, the college question of Nova Scotia had begun to render life a burden to the men holding the office of Secretary of State for the colonies in the British government. In the hope that they might be able to accom-

plish something which would be beneficial for the Province and bring some relief to themselves, from colonial secretaries in succession, beginning with Sir George Murray in 1829 and ending with Lord Glenelg in 1837, assumed the role of matchmaker and strove to bring about a union between King's and Dalhousie; but the terms which they proposed were much more in accordance with equity than those of the former proposal. Notwithstanding all the cogent arguments put forward by the colonial secretaries, the governors of King's were not to be won over, and in the early part of 1837 the scheme was abandoned as hopeless.[1]

In the meantime the Dalhousie Board of Governors had wakened up and had entered into a correspondence with a Dr. John S. Memes of Ayr, Scotland, which resulted in his being offered the presidency of the institution. This offer he accepted in the autumn of 1831, and announcement was made in the provincial newspapers that the College was to be opened before the close of that year. Dr. Memes, however, never entered upon the duties of the office and the College remained unopened. The governors again succumbed to "that tired feeling" which it seemed so easy and natural for them to yield to when Dalhousie's affairs were in question, and they now indulged in another rest which lasted for nearly seven years.

In 1838, however, a president was at last secured in the person of the Rev. Dr. Thomas McCulloch, and now, just twenty years after its founding, the institution went into actual operation. It was to Dr. McCulloch that the founding of the Pictou Academy in 1816 was due, and during the twenty years that had elapsed since its opening in 1818 he had been its efficient head. The work accomplished by Dr. McCulloch in Pictou justified his selection for the presidency. To him was assigned the chair of Mental and Moral Philosophy; and with him were associated the Rev. Alexander Romans in the chair of Classics, and the Rev. James MacKintosh in that of Mathematics and Natural Philosophy. In the appointment of this staff Dalhousie's evil star was surely in the ascendant. That all of the appointees happened to be Presbyterians, was an unfortunate thing;—that all of them happened to be Presbyterian ministers, was still more unfortunate;—that at least one of them had been appointed in preference to, and to the rejection of a better man who

[1]A third attempt to bring about a union between King's and Dalhousie made in 1884-85, and a fourth attempt made in 1901-02 likewise ended in failure.

belonged to a different religious persuasion, was most unfortunate of all. That people should draw their own conclusions was inevitable. Nor were they likely to forget in this connection the chief reason which had been put forward to justify the founding of Dalhousie College when there was another college already existing in the Province. The rejected candidate, the Rev. E. A. Crawley, at this time pastor of a Baptist church in Halifax, was not the man to submit tamely to the treatment accorded to his candidature. The answer that was given to the declaration which was at least implied in the action of the Dalhousie governors—that, when it came to the filling of professorships in the new institution, no one who was not a Presbyterian minister need apply—was both prompt and appropriate. The election to the professorships in Dalhousie took place on September 15, 1838; before the close of this same year the Baptist institution of Acadia College had been founded at Wolfville under the auspices of the Nova Scotia Baptist Education Society, and in the following year it went into operation with a staff of three professors, of whom Mr. Crawley was one, and with an attendance of twenty matriculated students. And so it came about that the Province, which had been deemed inadequate for the maintenance of two colleges, was now seen to be actually attempting the maintenance of three.

The blunder committed in the appointing of Dalhousie's staff is explained as having been due to the fact that the then chairman of the Board of Governors, Sir Colin Campbell, Lieutenant-Governor of the Province, put an entirely wrong interpretation upon the founder's declaration that the College was being "founded on the same plan and principle of that of Edinburgh",—that whereas the context, as well as all his speeches and letters on the subject, showed that Lord Dalhousie simply meant by this that no one should be barred from the privileges of the University because of his religious beliefs, Governor Campbell took it to cover the appointment of professors, also, and learning that the regulations of the University of Edinburgh required that these should belong to the Church of Scotland, he had insisted on the enforcing of that regulation here.

Whatever the explanation of the blunder, the result of it was fraught with irreparable injury to the College in Halifax. The dream so fondly entertained by Lord Dalhousie of a single strong

university for the Province, equally open to all and equally patronized by those of all religious persuasions, was now hopelessly shattered.

The period of activity upon which Dalhousie College now entered proved to be of brief duration, and furnished but little cause for rejoicing to its friends. The strain of his long and excessive labors had begun to tell upon the constitution of President McCulloch, and his growing feebleness made itself felt in the work of the classroom. The inefficiency of his colleagues and the hostile feeling which had been aroused in the community owing to the way in which they had been appointed, combined with various other causes to make up a handicap too great for the institution to overcome.

In 1840, two years after the ill-starred opening of the College, and after some further exhibitions of his capacity for blundering in matters political, Sir Colin Campbell, on petition of the Legislative Assembly, was removed from the governorship of the Province, and Lord Falkland was sent out to take his place. The folly of the restrictions which had been imposed in the making of appointments to the staff had been by this time more than sufficiently demonstrated, and the friends of the institution determined that, if legislation could prevent it, the blunder of 1838 should never be repeated. Accordingly in the Act passed by the Provincial Legislature in 1841, by which university powers were conferred upon the College, it was definitely laid down that no religious tests should be required either of students or of teachers. The mischief, however, which had already been done, was beyond repair.

In September of 1843 the College suffered a severe blow by the death of President McCulloch. By the close of the following year the number of students had fallen to ten and the staff had been reduced to two; before the middle of the following year these numbers had been reduced to five and one, respectively, and so in June of 1845 the College was formally closed by the governors who had come to the conclusion that it was "advisable to allow the funds of the institution to accumulate".

By the Act of 1841 the Governor-in-Council was empowered to appoint "such and so many fit and proper persons as may be deemed proper to be Governors of said Dalhousie College." It was intended that the Board of Governors should be made more democratic and

representative of the various religious denominations. The original board which consisted of eight ex-officio members, a considerable portion of whom were little in sympathy with the objects of the institution, was now replaced by one of seventeen members. This number would seem to have been found unwieldy, for in 1848 an Act was passed authorizing the Governor-in-Council to appoint a new board consisting of not less than five nor more than seven members, and a board of seven was appointed. By the same Act authority was given "to take such steps for rendering the institutions useful and efficient as to his Excellency may seem fit".

The members of this new board took their duties seriously. They found that the funds accumulated to date showed a favorable balance amounting to £200. They felt that they should be doing something to help on the cause of education in the Province, but the experiment already tried made them somewhat diffident about trying to resurrect the College. The idea of a high school appealed to them as a safer one to experiment with, and they considered that by the Act just passed they were justified in diverting the funds of the College to this purpose. Accordingly the "Dalhousie College High School" was opened in 1849 with a staff of four teachers. An enrollment of 125 pupils during the first year gave a promise of success which was destined not to be fulfilled. Each year saw the number in attendance diminishing in a geometric progression, and early in 1855 the school was closed. The next year, however, saw it re-opened with an entirely new staff of three who had been imported for the purpose from England. With this staff the school continued in operation until the summer of 1860, when it was finally closed.

Meantime, while the high school was in operation, an effort to resuscitate the College had been made by the governors. In 1857 an institution by the name of Gorham College had been opened in the town of Liverpool for the purpose of educating young men for the ministry in connection with the Congregationalist Churches of Nova Scotia and New Brunswick. This College building having been destroyed by fire, the governors of Dalhousie in the early part of 1856 made proposals to the Congregationalists looking to the uniting of their forces, and their proposals were accepted. The governors planned to make use of the three teachers recently engaged for their high school to supplement the teaching of the two pro-

fessors who were being taken over from the Congregationalist institution. Accordingly in October of 1856 the College re-opened with a staff of five professors, of whom the two from Gorham College, the Rev. Dr. Tompkins and the Rev. Dr. Cornish, took the chairs of Mathematics and Classics, respectively.

The union of Dalhousie with Gorham College brought to the former little in the way of pecuniary assistance, but much in the way of public criticism and disapproval. In less than a year the experiment collapsed, and in 1857 the college was once more closed, and so it remained during the six years which followed. That brings us to the year 1863, or five years short of half a century from the date of its founding, and during that period it had been in some sort of operation for less than eight years. It would be rank flattery to speak of it as having been even indifferently successful. Indeed, it may be said that for nearly half a century from its founding the institution proved an object of derision to its enemies and a bitter disappointment to its friends.

Other and minor reasons might, no doubt, be advanced to account for this ghastly record of failures—some of which have been suggested in the foregoing pages—but there can be little question that, as regards the main reason, the nail was hit squarely on the head when the Hon. Joseph Howe in 1843 declared, "It appears to have been the fate of this institution to have had foisted into its management those who were hostile to its interests; whose names were in its trust, but whose hearts were on other institutions. These, if they did nothing against, took care to do nothing for it; their object was to smother it with indifference. Surrounded by such men, and clothed with a sectarian character, for twenty-three years it stood a monument of folly." It is true that only the first twenty-three years are specifically covered by the above explanation, and that the original ex-officio Board of Governors passed out of existence in 1841, yet it is also true—and pity 'tis, 'tis true—that 'the evil that men do lives after them.'

With the year 1863 the history of Dalhousie College enters upon a new epoch. In the two or three years immediately preceding this, the outlook for the institution had grown exceedingly gloomy; clamorous cries had begun to be raised demanding that, as it had proved a hopeless failure, its funds should be diverted to some other

purpose. Its utter extinction seemed to be fast approaching. Year by year the conditions had been becoming such as to render the establishment of a provincial non-sectarian university an increasingly difficult matter. Sectarian colleges were increasing in number and in strength. Even before the founding of Dalhousie, the Episcopalians had their own institution at Windsor. The Baptists, alienated by the way in which appointments had been made to the staff of Dalhousie when it was opened in 1838, founded in that same year an institution of their own at Wolfville. The Roman Catholics had established two colleges with degree-conferring powers, that of St. Francis Xavier at Antigonish in 1855, and St. Mary's in Halifax in 1860. In 1862 at Sackville in New Brunswick and close to the border line of Nova Scotia, the Methodists had opened Mount Allison College, which was intended to serve the needs of those belonging to that church in Nova Scotia as well as those in New Brunswick.

The Presbyterians were now the only religious body of any considerable strength which had not established a university of its own. Whether it was because of the influence of a trait of character which has been frequently ascribed to those of Scottish origin, or whether it was because of well-reasoned convictions as to the comparative merits of different kinds of educational institutions, the Presbyterians had from the beginning entertained a strong desire and hope that a university might be established which would be absolutely free from sectarian control, and which would command the confidence and the support of the whole Province. They had therefore refrained from adding another to the number of the denominational institutions with which the Province had been so liberally supplied.

They had been well satisfied with the liberal nature of the constitution of Dalhousie College, as classified by the Act of 1841, and the collapse of the institution in 1845 was to them a matter of keen regret, while the future policy of its Board of Governors was awaited with anxious interest. As the years rolled on and the college remained unopened, a committee was appointed to interview the board and to discuss possibilities with them.

This interview took place early in February, 1856, when the governors were just starting upon their second venture in the high school

line. At this interview the committee received scant encouragement. The governors they were told, were determined to continue their high school and could not spare any of their funds for the maintaining of a college; if the Presbyterians, however, would themselves endow the necessary chairs, they would be happy to provide them with apartments. Even to this office the following conditions were attached: "First, that no clergyman should be appointed as professor (the governors being unanimously of opinion that such was the state of feeling in this Province that a minister of any denomination would be regarded by all other denominations with jealousy) and secondly, that all such professors should be subordinate to Mr. Reid, who was now the principal"—of the high school.

The governors had learned and taken to heart the lesson of their predecessors' blunder in 1838, but this was pushing the pendulum to the other extreme with a vengeance. The Presbyterians were not doing any business on such terms as these. This first impulse was to have done with Dalhousie and its Board of Governors for good and all, and to take immediate steps to found a new college of their own. What effect the carrying out of this design would have had upon the fortunes of Dalhousie College is a question which scarcely admits of more than one answer. Happily, however, while considerable thinking and talking were indulged in, action was delayed, and although the Presbyterians refused to come into the short-lived union which was shortly afterwards effected between Dalhousie and the Congregationalists on the modified terms then offered by the governors, they decided to await developments, while they contented themselves for a while longer with the makeshift arrangements adopted some eight years before, in 1848, when one branch of the church had established an Academy in Halifax and another branch had established a similar institution in the village of Durham in the County of Pictou.

Thus it came about that, when the institution founded by Lord Dalhousie was threatened with utter extinction, the Presbyterians were in a position to come to its assistance and this they did in a most generous and effectual manner. As a result of the negotiations now entered into, it was decided that the College should be revived, the governors agreeing to make provision out of their funds for three professors, while the Presbyterian Church of the Lower

Provinces undertook to provide for two more, and the Church of Scotland undertook to provide for one.

In April of 1863 an Act was passed by the Legislature "to extend the basis on which the said College is established, and to alter the constitution thereof, so as the benefits that may be fairly expected from its invested capital and its central position may, if possible, be realized, and the design of its original founders, as nearly as may be, carried out." All previous Acts relating to the college were repealed with the exception of one which referred to an early money loan. A new Board of Governors was appointed in whose membership of six were included representatives of the Baptist, Episcopalian, Methodist, and Presbyterian Churches. Vacancies occurring in the board were to be filled by co-operation. By one of the clauses it was enacted that "no religious tests or subscriptions shall be required of professors, scholars, graduates, students, or officers of the College." Another clause announced that "any body of Christians, of any religious persuasion whatsoever" might, subject to the approval of the board, endow and support one or more chairs or professorships, and that, for every chair so endowed to the extent of twelve hundred dollars a year, such body should have the right of nominating both a professor for the chair and a governor to sit at the board. The same right of nominating a professor (but not of nominating a governor, although this was afterwards added by Act passed in 1881) was granted, under similar conditions "to any individual or number of individuals, and to the nominee of any testator by whose will a chair or professorship may be so endowed."

DALHOUSIE REORGANIZED.

Under the provisions of this Act the College was re-opened in the autumn of 1863 with a staff of six professors. Of these, the governors had selected Dr. William Lyall of the University of Glasgow, for the chair of Logic and Metaphysics; Dr. George Lawson of Toronto, for that of Chemistry; and John Johnson, M. A., of Trinity College, Dublin, for that of Classics; the Presbyterian church of the Lower Provinces nominated Rev. James Ross, D.D., for the chair of Ethics; and Thomas McCulloch, a son of the former president, for that of Natural Philosophy; while the Church of Scotland nominated Charles Macdonald, M.A. of the University of Aberdeen.

for that of Mathematics; a really wonderful aggregation for scholarship, intellectual power, and teaching ability combined, but the outstanding figures of the group were undoubtedly Professors Johnson and Macdonald. To quote the words of President Mackenzie, "It is not to much too say that he (Professor Johnson) and the late Professor Macdonald laid the foundations of the University as they are today, and were the chief factors in forming the Dalhousie tradition and setting the Dalhousie standard." To Dr. Ross who had held the principalship of the Seminary which had been opened at Durham in 1848, and which had been removed to Truro in 1858, was assigned the presidency and this position he held for a period of twenty-two years, until in 1885 failing health compelled him to retire. Professor McCulloch's connection with the institution lasted only for two years; that of Dr. Lyall, the other nominee of the Presbyterian church, continued for twenty-seven years until his death in 1890. At the death of these men the church, feeling that the College had been placed upon a secure and permanent foundation, withdrew its support from these professorships. The remaining three professors, Johnson, Lawson and Macdonald, performed the duties of their professorships for periods of thirty-one, thirty-two and thirty-eight years respectively.

By the men composing this first group of professors, the lines along which the students of the University were to be conducted were laid down firm and clear and—according to the views of many educationists of today—narrow. The course for the B. A. degree was practically one and the same for all. Every one had to take Latin for all four years, and Greek and Mathematics for at least two years. Individual predictions or whims received small encouragement. The five subjects of each year had to be taken in the exact order in which they were laid down in the college calendar. Undergraduates who failed in one or two subjects during the session, were allowed supplementary examinations at the beginning of the following session; those who failed in more than two subjects were compelled to take the whole year's work over again, and students were told to mark well that "in the application of this rule, Mathematics will be reckoned as *two* subjects"!

For twenty years this Draconian code was maintained and its results were of a two-fold nature. The severity of the mental train-

ing resulted in making intellectual athletes of those who had the fortitude to undergo it and the necessary stamina to survive it, as surely as the system of training adopted by ancient Sparta resulted in the making of physical athletes; but as the Spartan system had a decidedly repressive effect upon the population of their city, so the Macdonald-Johnsonian system had a decidedly repressive effect upon the number of students in attendance at the University. In the session of 1873-74, ten years after the opening, the number of undergraduates in Arts had only grown from 40 to 51; another ten years saw this increased to 61; in the following year it had receded to 58. Thus at the end of twenty-one years, the rate of growth had been less than one undergraduate student per year.

Shortly before this, the professoriate had been re-inforced by the addition of such stalwart recruits as Dr. J. G. MacGregor, Dr. John Forrest, Dr. J. G. Schurman; and these were soon afterwads joined by Dr. W. J. Alexander and Professor James Seth.

It was not long before the newcomers had trained their guns upon the lines drawn up by the older professors and by a vigorous assault a breach was effected in the old wall, and this breach, once it had been started, was gradually enlarged, so that by the beginning of the present century the range of options allowed had become a very wide one, especially in the last two years of the course.

Meantime, before the close of the seventies, financial troubles were again looming up on the horizon and, the outlook was assuming so threatening an appearance that some were anxiously raising the question whether the governors would not once more have to resort to the expedient of closing the College and letting the funds accumulate. At this critical juncture an able champion appeared in the person of George Munro, a Nova Scotian, who after some years spent in educational work in his native Province had removed to New York City and there acquired a fortune in the publishing business. In 1879, Mr. Munro whose sympathies in behalf of the struggling institution had been enlisted by his brother-in-law, the Rev. John Forrest, at that time minister of St. John's Church in Halifax, made the first of his notable series of benefactions by founding a professorship of Physics with an endowment yielding $2,000 per annum. In 1881, he founded a professorship of History and Political Economy. To these, during the next three years he added professorships of

English Language and Literature, Constitutional and International Law, and Philosophy. From 1883 till 1890 he provided tutorships in Classics and Mathematics. Between 1880 and 1894 he contributed over eighty thousand dollars for bursaries and exhibitions, which, according to his own desire, were so offered for competition as to stimulate to greater activity and efficiency the high schools and academies of Nova Scotia and the neighboring Provinces. Mr. Munro's benefactions were at the time without a parallel in Canada, and his name remains linked for all time with the professorships which he so generously endowed.

The beneficent acts of Mr. Munro were in 1882 ably seconded by Mr. Alexander McLeod of Halifax, who left the residue of his estate to endow the three chairs now known as the McLeod Chairs of Classics, Modern Languages, and Chemistry; the bequest being made subject to the condition that it would be withdrawn "if at any time the said College or University shall cease to exist, or be closed for two years, or be made a sectarian college."

In 1885, on the retirement of Dr. Ross, he was succeeded in the presidency by Dr. John Forrest, who four years previously had joined the staff as professor of History. Dr. Forrest's presidency covered a period of twenty-six years and was marked by great progress in every department of the University. The need of a larger building and ampler equipment was becoming urgent. The purchase by the city of the old College building on the Parade, and the generous gift of $20,000 by Sir William Young, led to the erection of a new building on Carleton street. The new building was opened for classes in the autumn of 1887. The laying of its corner-stone on the 27th of April was the last public act of Sir William Young, whose strong interest in the institution is shown by the fact that he had served upon the Board of Governors ever since the year 1842, that he had been chairman of the board for a period of thirty-seven years, from 1848 to 1885; and that his pecuniary gifts to it subsequent to its re-organization had amounted to more than $68,000.

By this time various branches of the University had already made their appearance and were in process of development, while others had not yet advanced beyond the dream stages. An outline of their development may be given here.

The faculty of Medicine had been organized in 1868 with Dr.

W. J. Almon as President and Dr. A. P. Reid as dean. In 1875, the faculty was merged into the Halifax Medical College, but in 1885 it was re-organized as an examining faculty. In 1911 the University purchased the property of the Halifax Medical College, and undertook to provide instruction in all the subjects of the medical curriculum.

A faculty of Science was organized in 1877. In 1891, this was re-organized as a faculty of Pure and Applied Science with Dr. J. G. MacGregor as dean. In 1906, the faculty was divided, the department of Pure Science uniting with the faculty of Arts to form the faculty of Arts and Science, which the department of Applied Science became the faculty of Engineering. On the opening of the Nova Scotia Technical College in 1909, the faculty of Engineering was discontinued.

The faculty of Law was opened in 1883, with Dr. R. C. Weldon as dean. He was assisted by a staff of seven lecturers, four of whom were either then, or subsequently became, judges of the Supreme Court of Nova Scotia, while a fifth became a judge of the Supreme Court of Canada; two of them attained Knighthood, and one became Premier of Canada. With such a staff the future of the school was placed beyond all peradventure, and the marvellous success which it achieved at the very outset has been maintained unbroken and unimpaired to the present day. On the retirement of Dean Weldon in 1914, the governors appointed as his successor Dr. D. A. MacRae under whose guidance the school gives promise of being no less successful in the future than it has been in the past.

In 1902, in response to a wide-spread demand for better technical education, a School of Mines was established, and an appeal for funds for the support of this department resulted in subscriptions to the amount of about $60,000. Well-equipped geological, mining, and metallurgical laboratories were installed, and in 1904, a department of Civil Engineering was added to that of Mining Engineering.

At the same time a beginning was made in the way of establishing a system of imparting technical instruction in the chief mining centres of the Province, the classes being conducted partly by local instructors and partly by lecturers sent out by the University. The first of these courses was opened in the summer of 1903 in Sydney, where the Cape Breton branch of the Alumni Association rendered

effective assistance. Similar classes were opened in Glace Bay, Sydney Mines, Springhill, and North Sydney and the work was continued, until, on the passing of the Technical Education Act in 1907, it was taken up by the provincial government. This Act provided also for the establishment of the Nova Scotia Technical College for the purpose of giving instruction and professional training in several departments of engineering, covering the last two years of these courses. In accordance with an agreement entered into between the various provincial universities, Dalhousie University, on the opening of the Technical College in 1909, discontinued the giving of degrees in Enginering, and limited its work in this department to the furnishing of instruction in the first two years of the various courses, the Technical College, on its part, undertaking to limit its work to the last two years. On the side of technical education, therefore, a federation of the provincial universities has thus been established.

The faculty of Dentistry was organized in 1908, in affiliation with the Maritime Dental College, which provided instruction in the professional dental subjects, the University providing instruction in the purely scientific subjects as well as accommodation for the required laboratory and operating and lecture rooms. In 1912, an agreement was arrived at between the governors of the University and the Provincial Dental Board whereby the Maritime Dental College was merged into the faculty of dentistry of the University which has since then carried on the work of instruction in all the subjects of the curriculum. This department under the fostering guidance of its dean, Dr. Frank Woodbury, to whom it is chiefly indebted for its existence, gives promise of becoming quite an important feature of the University.

The University thus has had in operation since 1912 four fully organized teaching faculties, namely: Arts and Science, Law, Medicine and Dentistry.

For some time before that date, however, the building which had been erected in 1887 with the expectation that it would be found sufficient for half a century at the very least, was having its capacity taxed to the utmost, and was being found inadequate before the expiration of half of that period. The problem of satisfying the pressing need of the institution for increased room and ampler equipment had therefore been exercising the minds of the governors.

Shortly after the death of Professor Macdonald, which occurred in 1901, some of his old pupils conceived the idea of erecting a memorial to him in the form of a library building. This would at the same time help to relieve the existing congestion. The Alumni Association approved of the project and, setting to work, secured for it subscriptions amounting for $25,000.

SCIENCE BUILDING AND MR. CARNEGIE.

The work of the University and the need of a new building for science teaching were laid before Mr. Andrew Carnegie and he promised a contribution of $40,000 towards the erection of this building. The erection of these two buildings however was left in abeyance while the question of a proper site was taken under consideration. The recent rapid growth of the University led the governors to believe that the site then occupied augmented though it was by the gift from the city of an additional seven acres, would soon prove to be inadequate.

The purchase of further pieces of land in the immediate vicinity was therefore in contemplation, when the opportunity of acquiring the "Studley" property presented itself. This beautiful property of over forty acres, overlooking the waters of the celebrated Northwest Arm, offered an ideal site for a university and the governors were not slow to avail themselves of the opportunity of acquiring it.

When the purchase of the Studley property had been effected in January of 1911, it was felt that the time had arrived for a great forward movement, and plans began to be laid looking towards the securing of such financial assistance as would make possible the erection of the most urgently required buildings and would meet the most pressing needs of the next few years.

In this year, 1911, came the retirement of Dr. Forrest from the presidency, a position which he had filled for twenty-six years. His term of office had been marked by a phenomenal growth and development of the institution. A comparison of its condition in the year when he entered upon the presidency with what it was in the year when he retired from that office, would make this very evident. A fairer estimate, however, of the influence of Dr. Forrest upon the fortunes of the University would be obtained by instituting a comparison between the conditions existing in 1899 when he joined the

Board of Governors and enlisted the sympathy and the support of Mr. Munro, with those found in 1911. This comparison would read something like the following:

Number of faculties increased from one to four.

Staff of instructors increased from nine to sixty-one.

Equipment increased about four-fold.

Revenues increased about ten-fold.

Number of students increased from 91 to 407, or considerably more than four-fold.

On the retirement of Dr. Forrest in the summer of 1911, the governors appointed to the presidency Dr. A. S. Mackenzie, an alumnus of the University who had obtained his doctorate from Johns Hopkins and had held professorships successively in Bryn Mawr, Dalhousie and the Stevens Institute of Technology.

The new president threw himself enthusiastically into the new forward movement which was just being inaugurated, and in this he had the rare good fortune of having the whole-hearted assistance of George S. Campbell, who, three years before, had been appointed chairman of the Board of Governors. Of others whose assistance in organizing for the campaign was found particularly valuable, the honor of special mention is due to Messrs. W. E. Thompson, C. H. Mitchell, A. K. Maclean, and G. F. Pearson. The five largest subscriptions received were those of James H. Dunn, $25,000; W. H. Chase, $20,000; Lord Strathcona, $15,000; F. B. McCurdy & Co., $13,750; Mr. and Mrs. Geo. S. Campbell, $12,500. Complete lists of those who worked, and of those who contributed may be found in the "Annual Report" of the president of the University for the year 1911-12. As a result of this campaign, the main part of which was carried on in the City of Halifax during the six week-days from the 4th to the 10th of June, 1912, new subscriptions were received to the amount of about $400,000.

The governors were now in a position to proceed with the erection of new buildings on the newly acquired site at Studley. The corner-stone of the first of these, the Science Building, was laid by His Royal Highness the Duke of Connaught, on August 15, 1912; that of the second, the Macdonald Memorial Library, was laid by the Rev. Dr. Allen Pollok, a life-long friend of Professor Macdonald, on April 29, 1914. Both of these buildings were opened

for use in the autumn of 1915, the Library, which is not yet in its final form, being ingeniously constructed so as to furnish temporary accommodation for some of the Arts classes; and, pending the erection of the proper Arts building, the work of the faculty of Arts and Sciences is now being carried on in these two buildings, while the old building on Carleton Street has been given up to the faculties of Law, Medicine and Dentistry.

Before the laying of the first stone on the new site, such authorities on architecture and landscape planning as Frank Darling of Toronto, and Professor Mawson of the University of Liverpool, England, were called in to study the situation, and to give the benefit of their advice as to the greatest possibilities in the way of combining beauty with utility in the laying-out of the grounds and the structure of the buildings which would be required. The plans drawn up at the suggestion and under the direction of these gentlemen look forward far into the future and make provision for the needs of generations yet to be. These plans disclose some sixteen buildings of which it is anticipated the need will sooner or later be felt with varying degrees of urgency. Of these, all but two exist as yet only in the mind's eye, and as these two, the Science Building and the partially completed Library Building, have up to the present (June, 1916) called for an expenditure of very nearly a quarter of a million dollars, it may very well be that some of them may have to wait to be erected by some of the future generations whose needs they were really intended to serve. It is the intention, however, that each unit, as it is added, will be in thorough harmony with all that has gone before, and that the final result will find all the various parts combining to form one artistic whole.

The next of the buildings which it is proposed to erect, is the Students' Building, in which will be found a Students' Union with reading rooms, hall, society offices, gazette room, dining room, and in connection with it a gymnasium. The students of the University have started upon a campaign for the raising of funds for the construction of this building, and the Alumni Association has promised its assistance in this project, the accomplishment of which in the near future may therefore be confidently looked for.

A portion of the grounds facing the south has been leveled off to form an Athletic Field for the practice of football and other athletic

sports, and around it a standard quarter-mile track has been constructed. In another portion of the grounds on the same sides but nearer to the waters of the Northwest Arm, the members of the celebrated Studley Quoit Club, which has now been taken under the aegis of the University, may still be found on Saturday afternoon dispensing hospitality and playing the game which they have been playing on this self-same spot since 1858. The interest of members of the University in this club is shown in various ways, the interest of the members of the club in the work of the University is shown in the giving of an annual prize of fifty dollars for the encouragement of the study of Greek and Latin.

Two bodies which are destined to play a great part in the future of the University are the Alumni Association and the Alumnae Association. The former of these to which some reference has already been made was organized in 1871, and incorporated in 1876. For the first few years after its organization, the Association gave assistance to the University by offering prizes for competition at the sessional examinations; then it began to make contributions towards the purchase of scientific apparatus. By 1909, such progress had been made that the Association undertook to establish and to maintain a chair of biology in the University. And now the erection of a Students' Building has been added to the aims of the Association. Vigorous branches of the Association have been formed in various parts of Canada from Sydney to Vancouver, and also in the New England States, and if there is to be any change from the aggressive work done by it in the last few years the probability is that it will only be in the direction of still more aggressive work in the future.

The Alumnae Association was organized in 1909, and incorporated in 1914. Women students had first entered the classes of the University in 1881, and, as their members have been growing greater year by year, the need of a proper residence for those who come from outside the city has been gradually growing more acute. To the problem of meeting this need the members of the Alumnae Association have been devoting their attention. The object which they have in view is the erecting and furnishing of a building on the grounds of the University which will provide for the residential needs of all such woman students. For this they have secured, by the obtaining of subscriptions and the holding of bazaars, funds

amounting to some five or six thousand dollars, and although they have been greviously hampered by the conditions arising out of the European war, they hope before long to be in a position to meet the conditions laid down by the governors, who have promised that, when the association can provide one-third of the amount required, they will provide the other two-thirds, and proceed with the erection of a building sufficient to meet present needs and capable of being expended to meet the needs of the future. This residence the Alumnae have decided shall be called "Forrest Hall" in honor of Ex-President Forrest. In the meantime, since 1912, they have been giving a practical demonstration of their preparedness by renting and furnishing, as a temporary Forrest Hall, a residence on South Park Street in which they have been able to furnish accommodation to some fourteen of the women students. This experience has proved a great success, the credit for which is attributable in large measure to the genuine sympathy and the admirable tact of the two ladies who have successively presided as warden over the hall. Dr. Eliza Ritchie and Miss Florence Manners. To Dr. Ritchie, who, in addition to many other practical proofs of her great interest, voluntarily undertook and performed as a pure labor of love, the responsible duties of warden of Forrest Hall for the first two years, and whose valuable counsel still remains available in her capacity of adviser to women students of the University, a special debt of gratitude is due. Hers is a case where love's labor is not being lost.

It would take up too much time and space to give here any sort of account of all the various student organizations which have been formed in connection with the University, but there is one body of which some mention ought not to be omitted. Shortly after the advent of President Mackenzie and as a result of his conference with the students, a body was organized during the session of 1911-12 under the name of the Council of the Students of Dalhousie University. This council consists of representatives elected in due proportion from among the students of all the faculties, and its purpose is "to act as the representative governing body of the students of the whole University and as a unifying force in the University life." The Council has had wide powers entrusted to it, having authority to deal with all matters of general student interest, and having jurisdiction over all student societies, clubs and organizations

of every kind. Breaches of regulations and cases of unbecoming conduct, whether on or off the University premises, are investigated by the Council, which reports its findings to the senate, and in cases of conviction recommends suitable penalties. The council, moreover, receives recognition as the medium of communication between the student body and the University authorities. After four full years of trial the council, which was initiated as an experiment subject to discontinuation if found unsatisfactory, has proved a great and growing success. The entrusting of such a large measure of power and responsibility to the students has resulted in their showing themselves worthy of the confidence reposed in them; and the conferences between the senate and the University and the Council of the students which have been held for the joint consideration of difficulties, have had the effect of bringing about a much better understanding between the senate and the student body. The consequences of the establishment of this organization seem likely to be far-reaching and of a most salutary character.

The number of students in attendance at the University which had already exceeded the 400 mark when Dr. Mackenzie took over the presidency, was steadily rising; the staff of instructors had also grown in numbers and in strength, and an era of great prosperity and steady growth was being looked forward to with the utmost confidence, when this dream was rudely interrupted by the great war which broke out in August of 1914. Since then the experience of Dalhousie has been similar to that of all other universities in the countries which are taking part in the war. Dwindling classes, and dwindling revenues are now the order of the day; ascending figures are confined almost entirely to items of expenditure and the deficits which confront the Board of Governors. No change from these conditions can be expected during the continuance of the European war. A total of at least 450 students might not unreasonably have been looked for during the session of 1915-16, whereas the total number of those who registered at the beginning of the session amounted only to 339, and of those a large proportion of the men soon dropped out to join the ranks of those who were going to fight for the Empire. Many classes were left entirely depleted of male students. Some twenty-five members of the teaching staff also engagd in military duty, fifteen of them going overseas, while ten remained on

home defence duty. An Officers' Training Corps organized by Major, now Lieut.-Col. W. E. Thompson in 1914, has included in its membership quite a number of the staff, and the larger part of the male students of the University. The commanding officer of the corps during the last session has been Major John Cameron, professor of Anatomy in the University. The Dalhousie Stationary Hospital organized under Dr. John Stewart, lieutenant-colonel, left Halifax for England on December 31, 1915, and crossed over to France in June, 1916. The hospital is one of 400 beds, and its personnel of 132 officers and men, and 27 female nurses, includes representatives from Acadia and Mount Allison as well as from Dalhousie. Some Dalhousians have already made the supreme sacrifice and given up their lives in the cause of right and liberty. The list thus far includes the names of Lieut. George W. Stairs, Lieut. George H. Campbell (only son of the chairman of the Board of Governors), Graham Stairs, and J. Shearer Ross. The University will cherish the memory of these young heroes and will in due time erect some fitting monument in their honor.

As the preceding paragraph has referred to some of the serious losses in men and material resources recently sustained by the University, these which immediately follow shall set forth some of the most notable benefactions recently received by it.

In 1914, Dr. D. A. Campbell and Mrs. Campbell presented the governors with the funds needed for the endowment of a professorship of Anatomy in memory of their late son, Dr. D. G. Campbell, a distinguished alumnus of the University.

In 1915, the governors received the news of a bequest of $5,000 by the late Lieut. George W. Stairs, a recent graduate whose exceptionally promising career was cut short on the field of Langemarck.

The same year brought in a bequest for $15,000 from the late Mr. Joseph Matheson of Lower L'Ardoise in the County of Richmond.

In the early part of 1916 came the last of a long series of generous acts on the part of the late Mr. John Macnab in the form of a residuary legacy amounting to about $80,000. Of this it was his desire that a portion or all, at the direction of the Board of Governors, should be devoted to the extension and maintenance of the Library.

The terms of Mr. Macnab's munificent legacy led naturally to the subject of equipment. Under this head comes libraries, laboratories and museums. The University Library, the primary object of Mr. Macnab's solicitude, had its origin in 1867, when, as the result of an appeal at convocation by the Rev. G. M. Grant, a collection of some 1,100 volumes was formed. So slow was its growth that twenty years afterwards the number of volumes did not exceed 3,000. Today the heart of the enthusiastic librarian, Dr. MacLean, is gladdened as he surveys a collection of over 20,000 volumes and 5,000 pamphlets and thinks of the resources now placed at his command for further acquisition. Pending the erection of the Library stock, the larger part of these volumes have been placed around the sides of the spacious and splendid reading room in the Macdonald Memorial Library. Of the numerous gifts which have recently been made to the Library, there are two which are of more than usual interest, one of $2,000 by Professor Macdonald himself, the other of $1,000 received a few months ago from his old colleague, Professor Johnson.

Among the objects of interest found in the reading-room may be noticed the portraits of Lord Dalhousie, the founder of the University; George Munro, its most munificent benefactor; and Sir William Young, another of its most prominent benefactors; two tattered Boer flags brought back as trophies from the South African campaign of '89-90 by two of the Dalhousie undergraduates who served in it; and near to these a richly and beautifully wrought banner of St. George. This banner was sent to the dean of the College by His Excellency, Earl Grey, when he was on the point of leaving Canada on the expiration of his term as Governor-General, "with the request that it may be given to some educational institution where the design may stimulate the students to emulate the example of St. George and to devote their lives to the work of redressing human wrong."

Within a year from the organization of the Law faculty in 1883, some 3,000 volumes had been presented to form a Law Library. The number has now grown to more than 8,000 volumes, and these, according to an official statement, include all the law reports which students will find it necessary to consult.

The Medical Library may be said to have been instituted in the

year 1892, when a gift of books together with the sum of £1,000 as an endowment for that object was received from the late Dr. Charles Cogswell. This has been called in honor of its founder, the Cogswell Memorial Medical Library.

The University buildings now contain thoroughly modern and well-equipped laboratories for students taking courses in Chemistry, Physics, Geology, Biology, Engineering, in various departments of Medicine, and in Dentistry. The equipment of the Biological Laboratory has recently been largely increased through the generosity of James H. Dunn.

The Museum includes the Thomas McCulloch collection of birds, minerals, Indian implements, etc.; the Patterson collection of Indian antiquities by the Rev. Dr. George Patterson; and the Honeyman collection of geological specimens made by the Rev. Dr. David Honeyman.

The University has always tried to encourage and assist students of capacity and diligence by the offer of a considerable number of monetary prizes in the faculty of Arts and Sciences, and towards this object generous friends have given valuable assistance. Deserving of special mention in this connection are the gifts of the late Sir William Young, the late Mrs. Harriett Elizabeth Mackenzie of Stornoway, Scotland, but formerly of Pictou, the North British Society of Halifax, the Studley Quoit Club, the New Glasgow Literary and Historical Society and the Canadian Manufacturers' Association.

A new departure was made in 1913 when a Students' Loan Fund was originated by a gift of $1,000 from the Chronicle Publishing Company. Students who have been in attendance at the University for at least one session and whose funds are insufficient to carry them on, may under certain easy conditions have these supplemented from this source. However, until some further additions are made to this fund its aplication can only be of very limited extent.

For young men who are graduates of this University or who are nearing graduation, a splendid opportunity for continuing their studies or scientific investigations at one of the larger universities is presented by the possibility of winning either one of the Rhodes Scholarships or one of the 1851 Exhibition Science Research Scholar-

ships. The former, which were established by the late Right Hon. Cecil J. Rhodes, are of the annual value of £300, and are tenable for three years, during which the holders are required to continue their studies at the University of Oxford. Owing to the number of different universities in Nova Scotia, the right of making a nomination to one of these scholarships changes every year, but the nominations of the first fourteen years have been assigned by the Rhodes Trustees in the following way: to Dalhousie, 7; to Acadia, 4; to King's, 2; to St. Francis Xavier, 1; so that Dalhousie has the privilege of making a nomination practically every second year.

The 1851 Exhibition Science Research Scholarships are of the annual value of £150, and are tenable usually for two years, but in the case of students who show unusual merit they may be extended to three years. Dalhousie University is one of four universities in Canada which were selected by the commissioners to have the privilege of making nominations for these scholarships, the other three being Toronto, McGill and Green's. It may be added that a comparison of the records of the men who have been nominated by the different universities does not appear to the disadvantage of Dalhousie.

The recognition accorded to the standing of Dalhousie University among the educational institutions of the Empire by the action of the Royal Commissioners of the 1851 Exhibition is a noteworthy one. A further recognition was received both as to the educational work and the general character of the institution, when in 1906 the tests applied by the Carnegie Foundation for the advancement of teaching were successfully passed, and Dalhousie was one of two Universities in the whole of Canada to be placed by the Foundation on its "accepted list" of associated institutions, the other being McGill. In this connection it should be stated that, under the conditions laid down by the trustees of the Foundation, sectarian institutions were ineligible for that list.

The endowment fund of the University at the present time (June, 1916) stands at about $475,000. The yearly expenditure on current accounts amounts now to about $60,000. The yearly income previous to the outbreak of the European war was not falling far short of the expenditure, but since then its downward plunges have been somewhat disconcerting if not alarming. The two main items

in the revenue are the income from investments and the class fees received from students. A careful calculation shows that the cost to the University of educating one student comes to just about one hundred dollars per year over and above the fees which he pays into the University. This may help to explain why the institution must always be making appeals to the generosity of its particular friends and the general public to assist it in its great philanthropic work of extending the blessings of education and giving to the state citizens better fitted to play their part in the world.

The outlook for the future is one that is full of hope. Never in its history has the University had so good a Board of Governors as that of the present day, so devoted to its interests, so full of faith in the institution, so ready to show their faith by their works and by their gifts. The Board of Governors has had good chairmen in the past to preside over and to direct its deliberations, among whom Sir William Young and John F. Stairs were outstanding figures, but never has the board had so good a chairman as it now has in the person of George S. Campbell. Never have the Alumni and Alumnae been so able and so willing to come to the assistance of their Alma Mater. Never has the University had a better staff of teachers than it has at the present time. Never has any institution with equally limited resources achieved a greater name through its teachers and its students. Never has the University had, and never can it hope to have, a lovelier place for a home than that which it now possesses on the banks of the peerless Arm.

Amid the world-wide welter brought about by the inordinate ambition of one man, this University, like so many others, may be reduced for a time to the necessity of merely marking time, but when this cruel war is over, when the shadow of the sword shall have been removed, in the light of the brighter day that then will dawn its forward march will be resumed. Then will be seen the realization of the high hopes and ideals of its noble Founder, who, speaking of the Institution which he was establishing and of the incalculable advantages which it might be expected to bring to the country, declared it as his firm conviction that "growing as it will grow with the prosperity of the Province, no human foresight can imagine to what extent it may spread its blessings".

ACADIA COLLEGE.

(J. W. M.)

The year 1828 is a memorable year in the history of the Baptists of the Maritime Provinces. It was in that year at a meeting of the Baptist Association held in Wolfville, that measures were adopted for the establishment of a school in advance of the public schools then in existence. The want of such a school had long been felt by the more thoughtful men and women in the churches; but no formal action had been taken in the matter until the above date.

It was possible to secure a fairly good education in the academy and college at Windsor, Nova Scotia, but to do so, it was necessary to subscribe to the thirty-nine articles which had been made a test for admission to these schools. This, no intelligent Baptist could do. The academy at Pictou under the management of Dr. McCulloch was open to all classes; but the Baptist churches in the eastern part of the Province were few in number and financially weak, while the facilities for travel were so poor that the people in the western part of the Province found it difficult to avail themselves of the advantages which this school afforded.

Baptist churches at this time did not have many educated men upon their rolls of membership. The members were mostly from the ranks of "the common people." Their ministers had not been trained in the schools. The people did not desire it otherwise. "A God-made, and not a man-made, ministry" was a phrase which found frequent expression. There were a few men, however, who had caught the vision that if Baptist churches were to take their place in the social, civil and religious life of the country, the people must be educated so as to be able to fill positions of trust in the administration of the affairs of the day. It was also felt by these men that the rising ministry should receive a broader culture than was obtainable at that time in existing schools. The number of such men grew and they made their influence felt in the councils of the body. They came to the front on this memorable day in June, 1828, and stirred the hearts of the assembled congregation. In this, they were greatly assisted by "The Fathers" in the ministry, as we call them to this day. These were wonderful men for the times in which they lived. They were strong men,—men of force, vigorous in thought, and masterful in their influence over others. When these men stood up

and told their experiences with tears streaming down their cheeks, of the loss which they had sustained by their lack of culture, the effect was electrical. From that day a denominational school became a fact. Events followed in rapid succession. An Education Society was organized, money was raised, a property in Wolfville was purchased, and in the following year a school was opened under the management of Mr. Asahel Chapin of the United States, and known as Horton Collegiate Academy. Rev. John Pryor, a graduate of King's College, was the successor of Mr. Chapin, and continued to be the head of the school for about ten years. Students were in attendance from all parts of these Provinces. The moral and spiritual atmosphere of the school was excellent and it grew in public esteem. Buildings were erected, boarding facilities were provided and the work that was done seemed to have the Divine blessing resting upon it. The men at the head of affairs thanked God and took courage. The outlook was indeed most promising.

The old saying that "coming events sometimes cast their shadows before them" proved true in connection with the educational policy of the Province.

In the year 1817 Lord Dalhousie, Governor of Nova Scotia, had appropriated nine thousand seven hundred and fifty pounds out of what was called the Castine fund for the establishment of a Provincial University in Halifax. Ten thousand pounds was contributed by the Province toward the erection of a building for the purpose. It was expected that King's College at Windsor would unite with Dalhousie at Halifax and so form one strong Metropolitan College. Dr. McCulloch of Pictou was appointed president of Dalhousie College, and the late Dr. Crawley, then Mr. E. A. Crawley, a graduate of King's, a young man of ability and of fine promise, was recommended to the board of management as well qualified to fill one of the chairs as a professor. His application was rejected, because the governing body decided that all the professors must be members of the Presbyterian church. The decision thus reached settled the question of denominational colleges for the province of Nova Scotia. A deep feeling was aroused in the Baptist denomination. The exclusiveness of King's College could be borne, for that was confessedly under denominational control; but no such affirmation could be made concerning Dalhousie College.

It was the people's money that had gone into its construction, and so all the people should have equal rights both as to management and as to the professors who should fill the chairs of instruction. Shut out therefore from King's and Dalhousie, the question which confronted the Baptists was, this, What is our duty to ourselves and to God under these circumstances?

The question was a live one. The issue must be met without delay, with determination, and a clear conviction, as to the duty of the hour. For this there must be a leader. The man of destiny is at hand in the person of Edmund A. Crawley. By voice and pen, with great ability, he showed that only one course was open for the Baptist people to take, viz., to build, equip, and maintain, a college, free to all, irrespective of class or creed. This forward movement was heartily received by the people. Plans were made, and steps were taken to push the work to completion. Rev. John Pryor, then principal of the academy, was appointed a professor and with him was associated Rev. E. A. Crawley. Mr. Edward Blanchard of Truro became principal of the academy. Application for a charter was made to the Legislature. This was obtained, after much opposition. On the first day of January, 1839, the college was formally opened with twenty students in attendance.

Space forbids the mention of the names of the stalwarts who stood beside Mr. Crawley in this struggle; but the name of James W. Johnstone cannot be omitted. With such a leader in the Legislature those who opposed the granting of the charter found a foreman worthy of their steel, and the people, a champion to whom it was an honor to rally.

In October of the same year, Mr. Isaac Chipman, a former student of the academy, and a recent graduate of Waterville College, now Colby University, was added to the staff as professor of Philosophy and Mathematics. The college, thus equipped, went forward in its chosen field. Then, as now, the course of study embraced four years of undergraduate work. Of the twenty who entered college in 1839, only four completed the course in 1843. A similar experience has marked the history of all our colleges. Changes since then, have been many, but efficiency has been the ideal of professors and teachers. Through all the years that have passed Acadia has been regarded as the equal of any of the colleges, and superior to most of them.

There were, however, many obstacles to be surmounted, and difficulties to be overcome, in the prosecution of the work of higher education. Money was greatly needed. This lack of funds was used by the men who had striven for one central College, as an argument against Acadia and its ideals. Dark days loomed on the horizon as income shrank, and deficits increased. Again and again it was feared by many that the enterprise so heroically begun, would end in failure. But the leaders were men of intrepid faith, and in the darkest hour, their courage never failed. There were also seasons of prosperity, then some adverse circumstances would arise. Professors were appointed to certain chairs only to resign them in a short time. Dr. Crawley was compelled to give a portion of his time to the preaching of the gospel, to increase his income. In the summer of 1850 the outlook was gloomy indeed. Professor Stuart, who had been appointed to a professorship in 1847, resigned at the close of the term in 1849. Dr. Pryor was to leave in June. Professor Chipman had also tendered his resignation. The denomination was divided upon the question of government grants and a debt of about $15,000 rested upon the governing board.

Without professors and without money to meet the increasing needs of the college it is not at all surprising, if some of the friends thought the end to be near. But though some faltered, others held on, and with dauntless courage and unflinching faith, faced the tasks before them. In July, Dr. Pryor removed to the United States. Porfessor Chipman had been induced to withdraw his resignation, and with the aid of teachers in the Academy and advanced students, carried on the work of the college for the balance of the year.

This brings us to what may be termed the renaissance of Acadia College; for with only one professor and no funds there was not much in the way of a college. Nothing daunted, the governors looked about them for a man to lead in this crisis, and Dr. J. M. Cramp of Montreal was invited to assume the presidency. This office he accepted and entered upon its duties in a hopeful spirit. The place he was called to fill was no sinecure. The financial condition was very unsatisfactory. The people were yet poor. The staff of teachers was depleted. The new president set himself with unflinching courage to the task before him. His energy, his scholarship, his tact and wisdom, his good common sense, and his faith in God, all combined to fit him for the place. From the hour of his

coming till age warned him to cease from labor he threw himself unsparingly into the work of the college and of the Baptist denomination. His first endeavor was to improve the finances of the college. He saw that the only remedy for the yearly deficits was a permnaent fund whose interest would meet the current expenses. It was at his suggestion in 1852 that it was resolved to raise, if possible, an endowment of £10,000 in scholarships of £100, the entire amount to be raised within the year. By December 31st there had been pledged the sum of £12,000. Then followed the saddest day in the history of the College. Professor Chipman, four of the students, and Rev. E. D. Very, editor of the *Christian Visitor,* of St. John, were drowned in the Basin of Minas, as they were returning from a geological expedition to Blomidon. This sad event took place June 7, 1852, and came like a bolt out of the blue. It is difficult at this date to realize how completely this disaster seemed to upset every plan connected with the college. The students whose schoolmates had been swept away felt that college life was spoiled for them. Professor Chipman who had been a tower of strength for the past twelve years was gone. Men looked each other in the face and asked the question, "What next?" The president, for a time, was at a loss what to advise; but wisdom and strength were given. Men may die but the work of the Lord goes on. To falter now, after all the years of toil and sacrifice, would be sin. Hope and courage took the place of doubt and despair. In January of 1853 the college was reopened. No new appointments were made, but the president with such assistance as he might secure from the academy, and from some members of the senior class, undertook to carry on the work. The result proved satisfactory, and all felt that the crisis had passed.

Dr. Crawley was invited, shortly after this, to return, and it was resolved that there should be two departments in the college, one of them, a literary and scientific department, to be called Acadia College, and the other a theological department. Dr. Cramp was appointed the principal of the theological department and Dr. Crawley the president of the Arts course. This arrangement was effected in 1853 and Professor Stuart returned to resume work in the college.

The Associated Alumni of Acadia College, which was incorporated in 1860, have been very helpful to their Alma Mater. They

ACADIA COLLEGE BUILDING.
Wolfville.

have the privilege of nominating one-third of the Board of Governors for appointment by the convention.

For many years J. W. Barss, Esq., a retired business man, residing in Wolfville, gave largely of his time and means to the support of the college and was its treasurer from 1861 to 1868. Much of the success in raising the endowment fund was due to the sagacity and business ability of this gentleman. By an unfortunate investment of college funds the endowment had been reduced to about £6,000 of which sum only £2,500 was invested. Under the skilful management of Mr. Barss all the expenses of the college were met and at the close of his term of office in 1868 the invested funds had reached $30,000.00.

In 1869 Dr. Cramp retired from the presidency of the college. He had given eighteen years of continuous service to the work of higher education, and had been a tower of strength in the denomination. Abundant in labors, he laid aside the duties and responsibilities of his high office, enjoying the confidence and esteem of the men with whom he had been associated in Christian service.

Upon the resignation of Dr. Cramp the Rev. A. W. Sawyer, D.D., was unanimously elected to the presidency of the college. As a former professor he had earned an enviable reputation as a teacher and a scholar. He was a man of broad culture, and of independent thought, which eminently qualified him for the headship of a college. Under his administration the endowment grew, the number of students increased, and the curriculum was enlarged.

The theological department received a fresh impulse in 1874. Through lack of funds, and suitable teachers, it had not received the attention its importance demanded; but new interest was awakened this year by the appointment of Rev. D. M. Welton as a professor in that department.

In 1876 the question of government grants again came to the front. Prior to 1865 Acadia College had received no provincial aid for fifteen years, but in that year an anual grant of $400 was acceptel. By an arrangement between the government and the Presbyterians, Dalhousie College was re-opened in 1863. That body enjoyed the use of funds worth $5,000 a year. The other denominations had declined to co-operate in this effort to establish a Provincial University. They sent a vigorous protest to the Legislature against

the injustice of granting so large an amount of public funds, practically, to one denomination. To compensate for this injustice an offer of $400 a year was made, to the aggrieved bodies. This was accepted, under protest, and continued to be paid until 1876, when in consequence of an increased grant to Dalhousie College, the other denominations again petitioned the House of Assembly asking that all grants to colleges be withdrawn, or, that they be made upon an equitable basis. This petition resulted in the passage of an Act granting $2,400 for five years to the various colleges and an Act, for the establishment at Halifax, of an examining university for the Province, with which the different denominational colleges were to be in affiliation, though retaining the right of conferring degrees. The governing boards of these different institutions were invited to nominate suitable persons for election to the senate of the proposed university, and to actively assist in making this educational experiment a success. The governors of Acadia College referred this question to the convention, and at a meeting of this body in August, 1876, it was decided not to co-operate with the Halifax University, but instead, to make a vigorous effort to add, within three years, $100,000 to the endowment fund. This work was entered upon with great earnestness, both in New Brunswick and Nova Scotia, and met with considerable success. While thus engaged, the denomination sustained a heavy loss in the destruction by fire of their beautiful college building, on the evening of December 2, 1877, by which, in a few hours, the fruit of twelve years of self-sacrificing toil was swept away. By this sudden disaster the college and its president were literally turned out of doors, and all teaching operations suspended for the time. The portraits from the Library, and the books also, many of them in a damaged condition, were saved, but the valuable museum was nearly a total loss. The endowment at this time was about $80,000. At a special meeting of the Board of Governors which was called for the purpose of meeting the emergency thus created, it was decided to erect temporary buildings for college and academy class-rooms, to be ready for occupancy at the beginning of the next term. It was also decided to appeal to the whole denomination for means to rebuild, so as to provide accommodation for the library, and museum, and also for college and academy classes. As a result of the appeal, there was secured in

pledges the sum of $30,000. At the same meeting, it was also decided to erect a building to accommodate seventy-five young ladies. In July the work was commenced, and in September of the following year, 1879, both buildings were completed and ready for occupancy, at a cost of $41,000. For the successful completion of this enterprise in so short a period of time, the denomination is greatly indebted to the push, and business ability, of J. W. Bigelow, Esq., of Wolfville, the efficient secretary of the Building Committee. The contractors were the well-known firm of Rhodes and Curry.

Four buildings composed the educational plant at Wolfville at this period, viz., the old boarding house, the Academy Boarding House, Acadia Seminary and Acadia College. That which is at present the west wing of the seminary is the building which was erected and furnished with all modern improvements.

The new seminary is perhaps the most imposing structure on College Hill and was completed in 1892. Rev. H. T. DeWolfe, D.D., is the efficient Principal.

The event which stands out most prominently during the administration of Dr. Sawyer was the celebration of the jubilee of Acadia College in August, 1888. It was a memorable occasion, and one long to be remembered by the friends of Acadia. Enthusiasm reached its highest pitch when it was announced that a jubilee fund of $50,000 was to be started, to celebrate the event.

The numbers in attendance at college classes had gradually increased, and at this time numbered 134. Principal Oakes had charge of the academy, and under his direction, the work done in this school was of a high order. Under Miss Wadsworth the seminary was in a most flourishing condition, and growing in favor with the public, year by year.

At the commencement exercises in 1890, announcement was made of the gift of $20,000 by Mark Curry, Esq., of Windsor to found a professorship of History and Political Economy.

For some years, a feeling prevailed that some provisions should be made for the physical training of the student body. Steps were taken to meet this need, and by November a gymnasium was erected and equipped for use.

At the closing exercises of the college in June a letter was read from J. W. Barss, Esq., in which he agreed to give $10,000 to be

added to previous gifts, in order to found a professorship in the college. This chair is known as the J. W. Barss professorship of Classics.

In order to increase the efficiency of the academy and thus reach a wider class of students, a manual training course was added to its curriculum. This was made possible by the gift of Mr. Charles E. Young, of Falmouth, Nova Scotia, who provided for the erection of the building, which stood for many years on the college campus. Generous donations by other friends were givne toward this object.

From year to year changes in the courses of study were made, as the needs became apparent. The bequest of $100,000 by the late Godfrey Payzant of Windsor, brought the subject of theological instruction again to the front. The means thus provided, enabled the authorities to increase the staff of instructors. In 1896 Dr. Sawyer tendered his resignation as president of the college. He had been its honored head since 1869, and was beginning to feel the infirmities of increasing years. The resignation was reluctantly accepted. During his regime the several institutions, college, academy and seminary had greatly prospered, both materially, intellectually and spiritually. The men who sat at his feet in the class-room have aptly termed him "a prince of teachers."

The choice of a successor fell upon the Rev. Thomas Trotter then the pastor of the Wolfville Baptist church and a graduate of Toronto University. He had also served as professor for several years in McMaster University. Dr. Trotter accepted the office and entered upon its duties in 1897, bringing to the discharge of these duties, youth, energy, and optimism. The first thing he did was to ascertain the exact financial condition of all the institutions. After a careful and most rigid examination, he learned that the entire indebtedness was $70,000 while the endowment fund amounted to about $100,000 not including the Payzant bequest. The financial resources had not kept pace with the development in other respects. At this time the college had ten professors on its staff of instruction.

The indebtedness must be met, that was the fiat of the new president. There was no evading the issue. A forward movement campaign was inaugurated for raising $75,000, to wipe out all indebtedness. A pledge was secured from John D. Rockefeller to give $15,000 as soon as $60,000 were raised by the denomination,

and four years were given in which to do it. By the first of January, 1899, within a year, the full amount needed had been pledged, or paid in cash, and at last the college and the associated schools were free from debt. There was great rejoicing at this result. But the president was not satisfied. Soon after, he laid before Mr. Rockefeller a plan by which he proposed to increase the endowment fund $200,000. The plan was approved by that gentleman, who agreed to give a dollar for every dollar that might be raised by the denomination up to $100,000. The entire amount was to be raised by January 1, 1908. The work of securing pledges to make this second forward movement a success was carried on under the personal supervision of the president, in which he was ably assisted by the Rev. W. L. Archibald. By the year 1906 it was announced that the conditional $100,000 had been pledged, $40,000 of which was in cash.

While thus engaged in placing the college on a better financial basis, the president was not unmindful of its intellectual needs. In 1905 a science course was established, which covered a period of two or three years. Students who took this course were admitted to the third year of any course in applied science in the best technical colleges on the continent.

A new Science Hall, the gift of Andrew Carnegie, of New York, was secured by President Trotter in 1906, and was formally opened October 20, 1909.

During this progressive period the standard of first class in the college was raised from 75% to 80%, which still obtains.

In this same year (1905) the first Rhodes Scholarship was chosen in the person of Mr. Roy Elliott Bates of the class of 1904.

The care and responsibilities of the presidency, along with the work of conducting the campaign connected with the first and second forward movements so overtaxed his physical strength that Dr. Trotter felt he must resign, and seek a change. The resignation was placed in the hands of the board and as they had no alternative it was accepted with reluctance. Three members of the faculty were appointed an ad interim committee of administration, until a new president was obtained. Dr. Trotter did a splendid work for Acadia College, a work which will long stand as a monument to his zeal and devotion to the cause of higher education through Acadia College.

After a year's delay Rev. W. B. Hutchinson, D. D., a former graduate of the class of 1886, was chosen president. Testimonials of the strongest character came from educationalists and others with whom he had been associated in Christian service in Kansas and elsewhere. He remained two years, resigning his position on account of failing health. Dr. Hutchinson was a man of gentlemanly instincts and deep and ardent piety. His connection with the college was too brief for him to make any lasting impression upon the character of the school.

In the selection of his successor there was some delay. The governors felt the gravity of the situation and made diligent inquiry as to the qualifications of men who were recommended to them by their respective friends as "eminently qualified for the position." They resolved not to be in a hurry. In due time the Rev. George B. Cutten, Ph.D., of the class of 1896, was chosen for the presidency in 1909. He did not enter upon his work until February, 1910. The inauguration proceedings took place in College Hall on October 20th of the same year. The proceedings were of a most interesting character from beginning to end. Representatives from sister institutions were present and gave addresses of welcome. A formal address was given by Dr. George Trumbull Ladd, professor of psychology and philosophy in Yale University, whose subject was "The University and the State." At the close of the address, Dr. Cutten was formally introduced by the Rev. J. W. Manning, Chairman of the Board of Governors, as the president-elect of Acadia University, to which he made a most fitting reply.

Under Dr. Cutten's administration the college has made rapid progress. The college staff has been greatly increased. It has grown from ten to seventeen professors and instructors. In the courses of study there are three different departments, viz., that of Arts, of Science, and of Theology—with their respective deans. Financially there has been great increase. The endowment bearing interest has reached nearly $560,000. This sum, with the property owned by the board, such as the real estate, with the buildings thereon and their equipment would make the total assets worth approximately between eight and nine hundred thousand dollars. New buildings have been erected some of which have taken the place of those destroyed by fire. These buildings include the Observatory, the Car-

negie Science Hall, the College Girls' Residence, the new Library building, the Rhodes Hall, Willett Hall as a residence for college men, and last though by no means least, the new Academy Home. These are all brick or stone structures. Rev. W. L. Archibald, Ph.D., is the energetic principal of Acadia Collegiate Academy. The past of Acadia has been most inspiring. Its future is radiant with the bow of promise.

THE COLLEGE OF ST. FRANCIS XAVIER.

(H. P. McP.)

Higher Catholic education within the Diocese of Antigonish, Nova Scotia, was a vexed problem even as early as the days of Bishop Burke. It was left in abeyance till 1853, owing to lack of resources. That year, however, Bishop McKinnon opened a residential college at Arichat. It was indeed small and unpretentious, but there was a fair opportunity for later development. The good Bishop's primary aim was to train worthy young men for the priesthood, but he did not lose sight of the need of training others for the higher secular pursuits, as appears from what he actually did in succeeding years as well as from a communication of his to the Propaganda.

At the outset, students capable of doing collegiate work were at hand. They had received, in a number of cases, considerable training at a grammar school, which Dr. McKinnon, the founder of the college, had established, as early as 1838, at St. Andrew's, in the County of Antigonish. This is evidenced by the fact that, after having been a year at Arichat, four of them were sufficiently advanced to take up the study of theology at Laval University. The following year, the students numbered fifteen, according to a letter that Bishop McKinnon sent to Rome at that time, fourteen of whom were boarders. These were taught by three professors, in addition to Dr. John Cameron, who had charge of the institution and who was afterwards destined to be its guiding spirit for nearly half a century.

In 1855 the college was transferred to Antigonish, and, at the suggestion of Dr. Cameron, was named after St. Francis Xavier. Already suitable buildings had been erected in that town. To aid him in the work of construction Bishop McKinnon had at his disposal one-half of a bequest of 5,805 pounds sterling, which was made to the Vicariate of Nova Scotia before its division. In addition, he obtained

in 1853, 20,000 francs from the Society for Foreign Missions at Paris.

At Arichat St. Francis Xavier's College went through the first stage of its evolution. The Bishop merely rented a building at that place, which he afterwards purchased for an academy. In this his foresight and energy are apparent, for the work done at Arichat enabled him to establish immediately quite a respectable institution at Antigonish. He preferred the latter place as the permanent seat of the college, because, as he himself stated in 1854, it was cheaper to live there and because it was in the centre of a fine Catholic population, from which nearly all the native clergy had hitherto been drawn.

The college records of 1856 contain valuable information. They indicate that the institution had made admirable progress. There were six professors that year, whilst forty-nine students were in attendance. All of them, however, did not board at the college. Five hours a week were devoted to Hebrew, and advanced work was done in Latin, Greek and Philosophy. French, English, Physics and Mathematics were also on the curriculum. Latin, in particular, was considered of prime importance, and it continued to occupy the first place on the course in succeeding years. Moreover, the fact was emphasized that the students were not submitted to any religious test whatever. Nor have they been at any time throughout the history of the college. Protestant professors have often been members of the faculty, and Protestant youth have been year after year resident students.

The course of studies, just mentioned, was clearly colored by the primary aim which Bishop McKinnon had at the outset. The want of priests for the diocese was keenly felt, and to supply this want Theology was added to the curriculum. This subject, which embraced Dogmatic Theology, Moral Theology, the Sacred Scriptures and Church History was taught by only two of the professors; but, as they were men of marked ability, good results were obtained. In 1860, the Bishop reports that the institution "bids fair to realize to religion and to society all the benefits anticipated at its foundation." Then, having stated that it had already given eight priests to the church, he continues thus: "There are at present sixteen ecclesiastical students in attendance, of whom four are studying Theology and seven Philosophy. The others are engaged in preparatory studies in English, Belles Lettres, Mathematics, Latin and Greek classics."

ST. FRANCIS XAVIER COLLEGE.
Antigonish.

However, the students that studied Theology at any one time were very few, and when Dr. Cameron was appointed to the parish of Arichat in 1863, theological studies ceased altogether. Hence, the government had no difficulty in making grants to the institution "as a college." In 1855 the Provincial grant was $1,000.00, and five years later Bishop McKinnon states that it was 250 pounds. In 1866, the college received university powers by the following Act of the Legislature of Nova Scotia:

"Be it enacted by the Governor, Council and Assembly, that St. Francis Xavier's College at Antigonish shall be held and taken to be a university, with all the usual rights and privileges of such an institution; and the students in the said college shall have the liberty and the privilege of taking the degrees of Bachelor, Master, and Doctor in the several arts and faculties."

Though the college had a rather brilliant beginning, considering the circumstances, it had to struggle hard in after years. This was due to several causes. The Diocese of Arichat was going through the period of formation, and the energies of the people were necessarily directed towards building churches and glebe houses. Besides, they had, as a rule, only a very moderate share of this world's goods, and, generally speaking had little or no education. To make matters worse, Bishop McKinnon's health gave way, and, during the latter years of his administration, his faculties were somewhat impaired.

The result was that, for some years after 1863, the college made little or no progress. It rallied somewhat after 1866, and even Theology was taught for a while; but for some time before 1877 its condition was far from satisfactory. That year, however, Bishop Cameron took charge of the Diocese of Arichat, and he proceeded, without delay, to "galvanize the college into new life." A man of energy and efficiency was procured for the Mathematical department, and the year following a class in Chemistry was opened for the first time in the history of the institution. In 1880, the eastern wing of the present buildings was erected. It is in brick and is eighty by thirty-eight feet. Bishop Cameron contributed six thousand dollars of the funds required for its completion, and the rest of the clergy about two thousand seven hundred.

Thus the efficiency of the college had gradually increased. Indeed,

excellent work was done at this period, though the professors, exclusive of assistants, were only five and the students in the neighborhood of fifty. But to defray current expenses the Provincial grant was indispensable. In 1881 that grant, which then amounted to fifteen hundred dollars a year, was withdrawn, and consequently the financing of the institution became a grave problem. Bishop Cameron, however, immediately appealed to the diocese to form an endowment fund, and for this purpose over twenty thousand dollars were collected and invested.

This was the beginning of solid progress, which has continued to the present time. In 1888, extensive improvements were made. A western wing, eighty-three by thirty-eight feet, was erected parallel to the one already mentioned, and a central structure, ninety by thirty-nine feet, connecting the two. In 1895, another wing, sixty by forty feet, was added to serve as kitchen and laundry; and two years later a convent was built for the Sisters of St. Martha who have charge of the domestic affairs of the College. In 1898, a third wing, ninety-four by forty-seven feet, was joined to the preceding buildings, and, united together, they constitute the main structure of the College plant.

Detached from the main structure and from one another are three other buildings: The Science Hall, one hundred by fifty feet; the University Chapel, and Mockler Hall, one hundred and ten by forty-two feet. They were erected in 1910, '12 and '15 respectively. The Science Hall is the gift of Neil McNeil, Esq., Boston, the chapel of Dr. John E. Somers, also of Boston, and Mockler Hall owes its existance to the generosity of Captain P. Mockler, of Brule, Colchester County, Nova Scotia. All three are enduring monuments of the public spirit and generosity of the donors.

Nor has the advance of the college been confined to brick and mortar. The course of studies has recently been broadened and deepened, especially in English Literature, History, Economics, Mathematics and Physical Science. The staff, which, as a rule, is made up of twenty professors, embraces men, who have received their training at the Universities of Oxford, Cambridge, Munich, Johns Hopkins, Washington and other seats of learning. The students are now usually in the neighbourhood of two hundred. They come mainly from the Province of Nova Scotia, especially the Diocese of Antigonish, but a considerable portion of them belongs also to other parts of the Dominion and to the United States.

It may be said, in conclusion, that the prospects of the college were never better than they are at present. A suitable building for the library, which contains about twenty-three thousand volumes, is in contemplation, as well as a large gymnasium, in addition to a spacious rink. The proceeds of a farm of nearly three hundred acres, purchased in 1908, together with an annual diocesan collection, are of great assistance in defraying current expenses.

Since the college was established at Antigonish in 1855, its rectors have been the following: Rev. John Cameron, D. D., 1855-1863; Rev. Hugh Gillis, 1863-1876; Rev. Angus Cameron, D. D., 1876-1884; Rev. Neil McNeil, D. D., 1884-1891; Rev. Dan Chisholm, D. D., 1891-1818; Rev. Alexander Thompson, D. D., 1898-1906; Rev. Hugh P. McPherson, D. D., 1906—.

MOUNT ALLISON.

(W. M. T.)

Mount Allison University, though not in Nova Scotia, may very well have a place in the history of the Province. It is situated at Sackville, New Brunswick, only seven miles from the border and draws a considerable portion of its students from Nova Scotia. This special position was long recognized by the Nova Scotia government which down to 1881 gave grants to the colleges of Nova Scotia and to Mount Allison.

Mount Allison gets its name from its founder, Charles F. Allison, a prominent citizen of Sackville, New Brunswick, and a near relative of the writer of the History of Nova Scotia. In 1839 he made an offer to the Methodist body of eastern British America to give a site and building and £100 a year for ten years to provide an institution for the higher education of boys and young men. This generous offer was accepted and in January, 1843, Mount Allison Academy was opened with Rev. Humphrey Pickard as principal. Later Mr. Allison contributed £1,000 toward the establishment of a similar Academy for young women, which began its work in 1854 and has as its descendant the present Ladies' College.

During the latter years of Mr. Allison's life when the Academy had developed into a large and prosperous school and students were going to New England to complete their education, the establishment of a college was frequently discussed. In his last will and testament

Mr. Allison made provision to assist in carrying out this plan, and in the year of his death, 1858, an Act was passed by the Legislature of New Brunswick authorizing the trutees of the Academy under certain specified conditions to establish and put in operation a degree-conferring institution under the name and style of "The Mount Allison Wesleyan College." Various matters caused some delay, and it was not until 1862 that a collegiate organization was effected and the work of instruction began with five professors and a tutor. Several students having been admitted to advanced standing on the basis of studies and examinations in connection with the higher classes of the Academy, the first college class was graduated in 1863. It consisted of only two members, both of whom celebrated a few years ago the fiftieth anniversary of their graduation: Rev. Howard Sprague, D. D., the dean of the Theological faculty at Mount Allison, and Hon. Josiah Wood, lieutenant-governor of New Brunswick.

By an amendment of the original charter in 1886 the corporate name of the institution was changed to "The University of Mount Allison College." When in 1913 further legislation was obtained revising the constitution of the governing body so that more power was thrown into the hands of the Alumni of the University, the name of the corporation became "The Regents of Mount Allison." Under this corporation are three institutions to be known as "The Mount Allison Academy," "The Mount Allison Ladies' College," and "The Mount Allison University."

According to the provisions of the amended charter, the ultimate ownership of the University is in the General Conference of the Methodist Church of Canada. The direct government, is, however, vested in a Board of Regents and a Senate, and the aforesaid General Conference exercises a controlling influence on the affairs of the University solely through the power conferred on it by the charter of appointing a majority of the regents.

The University Senate is a composite body consisting of the faculty of twelve regents appointed by the board. It is charged with the duty and regulating the strictly educational concerns of the University, such as framing courses of study and the conferring of degrees. The general management of affairs is intrusted to the Board of Regents, which consists of thirty-six members: twenty-four appointed by the General Conference of the Methodist Church, with eight repre-

sentatives of the Alumni Society and four representatives of the Alumnae Association of the Ladies' College.

In its internal administration, the University has always been conducted on strictly non-sectarian principles. No tests of religious belief or church adherence are required from members of the faculty or students. While the Methodist population of the Maritime Provinces and Newfoundland is naturally looked to as the chief source of supply of students, a very appreciable percentage of the attendance has uniformly represented other religious denominations.

In the early years of its organization the College received grants from the governments both of Nova Scotia and of New Brunswick. When these were withdrawn the financial position was for a time serious. However, friends came nobly to assistance, both men of means who gave subscriptions of considerable size, and ministers and others who made great sacrifices to assist the College in its time or need. At intervals efforts have been made to increase the endowment. The latest a campaign in 1913, organized to obtain further endowment and to raise money for a new Science Hall, resulted in subscriptions of about $200,000. The largest single gift that has been made to the University, was that, in 1896, of $100,000 by the late Hart A. Massey, of Toronto. A portion of this was set aside for the endowment of a chair to be called "The Hart A. Massey Chair of Philosophy." Another important gift came from the late Jairus Hart of Halifax, Nova Scotia, who in addition to specific bequests, made in his will Mount Allison one of the three residuary legatees. Through these provisions of Mr. Hart's will the Ladies' College built a new stone wing called Hart Hall, and the University obtained about $73,000. But in the many respects quite as important was the bequest of the late George T. Bowser, of Sackville, by which all his property passed to the University. In this way the University acquired very valuable lands adjoining its own property in the centre of the town, and affording adequate space for the growth and development of years to come. Through the generosity of the Rev. Ralph Brecken, D. D., of Toronto, J. Wesley Smith, of Halifax, and others, considerable sums are available each year as aids and scholarship to assist deserving students.

A good deal of money—in part because of unfortunate losses by fire—has been spent in buildings which have grown considerably from

the modest structure with which the College began. That old building is still in existence. Changed in position and otherwise it is now the Science Hall. Near it stands Memorial Hall, in which are the Library, the Chapel, and the lecture-rooms for Arts and Theology. On the campus with these is the president's cottage. Across the street is the large residential building for men with the gymnasium and athletic grounds close beside it. Life in residence with all the associations and intimacies which are so important in college life, has always been of great importance at Mount Allison. Another building used for convocations and all large public gatherings is the Charles Fawcett Memorial Hall presented by a son and daughter of the late Charles Fawcett. It is a building of splendid proportions and stands on the site of the residence of Charles F. Allison.

Mount Allison has now three faculties of Arts, Theology and Applied Science, and in connection with the Ladies' College offers a course for the degree of Bachelor of Music. The course in Applied Science is in affiliation with McGill and the Nova Scotia Technical College. Students who complete it enter on the third year in those colleges. Men and women are received on a perfect equality in regard to entrance and competition for all honors and scholarships. To Mount Allison, indeed, comes the honor of being the first college in Canada to admit women to degrees, since in 1875 the degree of Batchelor of Science was conferred on a young lady, and in 1882, that of Batchelor of Arts.

The first president of Mount Allison was Rev. Humphrey Pickard, D. D. In 1869 he was succeeded by David Allison, LL. D., who resigned in 1878 to become Superintendent of Education for Nova Scotia. His successor was J. R. Inch, LL. D., who resigned in 1891 on accepting the position of Superintendent of Education for New Brunswick. At this time Dr. Allison returned for a second term which continued down to 1911, when he was succeeded by Rev. B. C. Borden, D. D., who still holds the office.

Mount Allison has now several hundred graduates, many of whom have become prominent in business and professional life. Through all the years they seem to have felt strongly the call to public service in town or Province, in courts or in Parliament, just as in these days of war the student body has felt the higher call of the Empire and enlisted in scores to serve King and country. Mount Allison has no

chair of patriotism, yet with such results one cannot but feel that her teaching rouses students to a sense of their duty as citizens and fits them to do good service for their fellow-men.

THE CHURCH SCHOOL FOR GIRLS, EDGEVILLE, WINDSOR, N. S.

(F. W. V.)

It is remarkable that the Church of England, which was forward in educational work, starting schools throughout the Province in the middle of the eighteenth century, and establishing the Academy for boys at Windsor in 1788, should have waited until more than a hundred years later to provide a boarding-school for girls. In this important work she allowed herself to be anticipated by Roman Catholics, Methodists, Baptists and Presbyterians. There were several small and inadequately equipped private schools; but Church of England parents who desired better educational advantages for their daughters were obliged to send them to some institution outside the Province, or to patronize one of the denominational schools at home.

The inception and organization of the scheme for the establishment of a school for girls, under the patronage of the Church of England, must be credited to the energy and ability of one of Nova Scotia's strong men, Dr. Henry Youle Hind, and prominent among those who were associated with him in the work were the Rev. Dr. Partridge, then rector of St. George's, Halifax,; Canon Brigsback, of St. John, New Brunswick; the Rev. H. D. DeBlois, of Annapolis Royal; E. W. Dimock, Esq., and C. S. Wilcox, Esq., and the Rev. Dr. Willets, of Windsor, and J. B. Forster, Esq., of Dorchester.

A resolution setting forth the need for such a school was passed by the Alumni of King's College at the annual meeting of the association on June 25, 1890. It was strongly advocated by the Bishop of Nova Scotia (Dr. Courtney) in his address to the Diocesan Synod on June 27, with the result that a resolution was passed unanimously by the Synod for the establishment forthwith of a "Church School for Girls at Windsor, Nova Scotia" on the basis of a joint stock company; the financial affairs of which should be managed by a board of directors elected by the shareholders, and the discipline and instruction controlled by a board of trustees, consisting of the Bishops of Nova Scotia and Fredericton, three representatives of the shareholders, two appointed by the governors of King's College and one

each by the Synods of Nova Scotia and Fredericton. The Synod of the Diocese of Fredericton concurred in the scheme on July 2nd of the same year.

A meeting of the promoters of the school was held in Windsor on July 10th, and a beautiful property, known as "Edgehill," overlooking the town of Windsor, and sloping towards the east and south, was secured as a site. The property at first acquired covered rather more than eight acres, but this was considerably enlarged by subsequent purchases. On August 7th a meeting of shareholders was held, and a provisional board of directors elected, and another meeting was held on November 12th, when it was decided that the school should be opened on January 8, 1891. An Act of Incorporation was obtained from the Legislature in April, 1891.

It was found possible to adapt the building then on the property to school purposes so as to accommodate thirty-five, including mistresses. The Bishop of Nova Scotia was asked to select a lady principal, and he was fortunate in being able to secure for the position Hannah J. Machin, a lady favorably known from her management of an excellent private school in Quebec, who, as she was closing her own school, brought with her several of her mistresses and pupils.

The school opened with twenty-seven resident pupils and fifteen day scholars and several girls had to be refused on account of lack of accommodation; so the directors felt justified in proceeding at once to the erection of a new building. Work on this was begun on May 18, and the corner-stone was laid by Sir John C. Allen, Chief Justice of New Brunswick, on the day of the school closing, June 23, 1891.

As not much more than $27,000 of the stock had been subscribed, it was found necessary to borrow the sum of $24,000 on mortgage; but the management of the school has been such, that, besides adding largely to the buildings and other properties of the institution, the standing indebtedness is being year by year decreased.

The new building was ready for occupancy in January, 1892, and was fully up to all modern requirements. All rooms are large and airy and well lighted. There is a good gymnasium in the basement, ample bath-rooms are provided and there is hot-water heating and electric lighting throughout. A laundry building and small hospital



NOVA SCOTIA COLLEGE OF AGRICULTURE,
Truro.



NOVA SCOTIA NORMAL COLLEGE,
Truro.



NOVA SCOTIA TECHNICAL COLLEGE.
Halifax.



SCIENCE BUILDING, NOVA SCOTIA COLLEGE.
Truro.

for use in case of infectious diseases were afterwards added, and in 1895 another large building was erected with an assembly hall on the ground floor and music rooms and art studio above, and a good library room and additional bed-rooms in the wing connecting this with the main building. The school also has its own dairy, which affords a constant supply of excellent milk. The ample grounds are tastefully laid out, with excellent tennis lawns, walks and shrubberies and an open-air skating rink, and the outlook from the school over hill and dale and river is one of the most beautiful to be found in the Province.

Miss Machin retired in 1897 and was succeeded by Miss Blanche L. Lefroy, who had received thorough training at Cheltenham Ladies' College, and who brought with her a staff of competent mistresses, under whom the school soon acquired a high reputation for thoroughness and efficiency.

The musical department was brought into connection with Trinity College, London, in 1896, and examinations in musical knowledge have been held each year since with unfailing success, and pupils from Edgehill have on more than one occasion obtained perfect marks. Equally successful have been the examinations in singing, pianoforte and violin conducted by the Associated Board of the Royal Academy of Music and the Royal College of Music, which Edgehill pupils have taken since 1900. Examinations in art are also conducted by the Royal Drawing Society with very satisfactory results.

Miss Lefroy resigned in 1905 and was succeeded by Miss Gena Smith, sometime principal of King's Hall, Compton, Quebec, and before that head mistress of St. Stephen's high school, Windsor, England, under whose management the school has made steady progress and well sustained its former reputation.

It is an indication of the appreciation in which Edgehill is held that it has already enrolled something more than a thousand pupils. While the great majority of these have been girls from the Maritime Provinces, a considerable number have come from the other Provinces of Canada, from the United States, from Newfoundland and from the West Indies.

Dr. Hind discharged the duties of managing director and secretary of the board with unflagging zeal from the time of the first organization of the school until his death in the summer of 1908 and

since that time this work has been carried on most efficiently by the Rev. H. A. Harley.

THE NORMAL COLLEGE.

The Normal College is situated in the town of Truro and is affiliated for purposes of instruction with the Nova Scotia College of Agriculture nearby, also with the Rural Science Training School, which is practically a vacation normal course for the special training of teachers for schools entitled to extra grants for the teaching of elementary agriculture.

The Normal College proper under the principalship of David Soloan, B. A., LL. D., since 1900, now trains about 400 teachers and has a staff of about 18 including the affiliated departments of Domestic and Mechanic Science at an annual cost of about $20,000, including the traveling expenses of the students beyond ten miles from Truro.

It was opened as the Provincial Normal School on the 14th of November, 1855, under the principalship of Rev. Alexander Forrester, D. D., who was succeeded by John Burgess Calkin, M. A., LL. D., from 1869 to 1900. Originally it combined academic and professional instruction. Since 1893 the academic work has been done in the high schools and universities preliminary to admission.

THE NOVA SCOTIA COLLEGE OF AGRICULTURE.

The Nova Scotia College of Agriculture has at present a staff of about 15 and an extensive suite of buildings on a farm of 390 acres just outside the town of Truro, on the right bank of the Salmon River. It was opened in 1885 as the Provincial School of agriculture in affiliation with the Provincial Normal School, with the object of stimulating the development of agriculture through the schools. In 1893 it was supplemented by a school of horticulture at Wolfville. In 1898 the building at Truro was burned down, and the work was continued for a few years in temporary rooms.

In 1905 under the principalship of Melville Cumming, B. A., B. S. A., the agricultural and horticultural work were concentrated at the present site when the new college building was opened. Since then many supplementary buildings have been erected, the latest being the new Science Building which becomes the main headquarters of

research work, as well as of Domestic Science and other provisions for popular short courses.

It is affiliated with the Normal College to some extent, but more especially with the Rural Science Training School under the deanship of Clarence L. Moore, M. A., F. R. S. C., and under the director of Rural Science Schools, Loran A. DeWolfe, M. Sc.

In the regular two years course there have been about 100 annually enrolled; the short courses from 250 to 300; and in the Rural Science Training course for teachers about 150. Short courses are also being given at different points in the country, with an attendance of about 150.

The estimates for the year 1916 contained $18,300 for the College and $14,700 for the *Farm*.

THE NOVA SCOTIA TECHNICAL COLLEGE.

The Nova Scotia Technical College was provided for in the Technical Education Act of 1907, which practically created a new sub-department of education under a director who would also be principal of the College. Mining schools were provided for the training of managers, enginemen, and foremen in mining regions; local evening technical schools in the cities and towns; and the College itself was affiliated with the universities of the Atlantic Provinces to the extent of doing the third and fourth years work requiirng expensive equipment leading to degrees in such departments as Civil, Mining, Mechanical and Electrical Engineering. Its Board of Governors consists predominently of representatives from each of the universities, subject to the Council of Public Instruction.

The College and the main building for the engineering laboratories were erected by 1909, and the Murray Laboratory of Mining and Metallurgy by 1912, at a cost of over a quarter of a million dollars.

The first degrees were conferred in 1910. Up to 1916 sixty-nine graduates completed their respective courses and were awarded the B. Sc. in their departments. Fifty-three completed short courses for which diplomas were awarded.

Frederick H. Sexton, B. S., has been the Principal. The staff of instruction number ten, and the annual expenditure of the College approximates $28,000. The net expenditure of the sub-department last year was about $49,000.

One thousand five hundred and eighty-four students were enrolled in the local technical schools, and five hundred and ninety-four in the local Mining and Engineering schools.

THE HALIFAX SCHOOL FOR THE DEAF.

The Halifax School for the Deaf was founded in 1851 by private benevolence, and is governed by its own directors. But the Provincial Government soon began to aid it, and now provides in it free education for all the deaf and dumb within the Province. The building now occupied was completed in 1895. The principals were J. Scott Hutton, 1857; Mr. Woodbridge, 1878; J. Scott Hutton, 1892; James Fearon, 1891. In 1915 there were 106 pupils in attendance—64 from Nova Scotia, 11 from Newfoundland, 10 from Prince Edward Island, 5 from New Brunswick, 1 from Bermuda and 15 from Alberta.

THE HALIFAX SCHOOL FOR THE BLIND.

The Halifax School for the Blind was established in 1867 and opened with four pupils in 1871 under the present principal, Sir C. F. Fraser, LL. D. It is similarly related to the Provincial Government and education department as the institution for the deaf. It provides for the education of the blind in the Province of Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland, from which there were in attendance respectively, 93, 27, 6, 16, making 142 in all.

APPENDIXES

APPENDIX A.

Halifax, Nova Scotia, 29th March, 1768.

My Lord—

Last night Mr. Nesbitt, Speaker of the House of Assembly of this Province, communicated to me a letter he had just received from the Speaker of the House of Representatives of the Province of the Massachusetts Bay; and as the keeping up of a correspondence between the several colonies in their legislative capacities may in time prove dangerous consequence, I conceived it proper to transmit to your lordship a copy of this letter. And at the same time I must pray leave to assure your lordship that no temptation, however great, will lead the inhabitants of this colony to show the least inclination to oppose acts of the British Parliament.

I have, &c.,

MICHAEL FRANCKLIN.

The Right Honorable the Earl of Shelburne.

Province of Massachusetts Bay,
11th February, 1768.

Sir:

The House of Representatives of this Province have taken into their serious consideration the great difficulties that must accrue to themselves and their constituents by the operation of the several acts of Parliament, imposing duties and taxes on the American colonies.

As it is a subject in which every colony is deeply interested, they have no reason to doubt but your Assembly is duly impressed with its importance, and that such constitutional measures will be taken by them as are proper.

It seems to me necessary that all possible care should be taken that the representatives of the several assemblies, upon so delicate a point, should harmonize with each other. The House, therefore, hope

that this letter will be candidly considered in no other light than as expressing a disposition freely to communicate their minds to a sister colony, upon a common concern, in the same manner as they would be glad to receive the sentiments of your or any other House of Assembly.

The House have humbly represented to the Minitsry their own sentiments, that His Majesty's High Court of Parliament is the supreme legislative power over the whole Empire. That in all free States the Constitution is fixed; and as the supreme legislative derives its power and authority from the Contsitution, it cannot overleap the bounds of it without destroying its own foundation. That the Constitution is certain, and limits both sovereignty and allegiance, and therefore His Majesty's American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rights of the British Constitution. That it is an essential, unalterable right in nature, ingrafted into the British Constitution, as a fundamental law, and ever held sacred and inviolate by the subjects within the realm, that what a man hath honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his own consent. That the American subjects may, therefore, exclusive of any consideration of character of freemen and subjects, assert their natural and constitutional right.

It is, moreover, their humble opinion, which they express with the greatest deference to the wisdom of Parliament, that the acts made there, imposing duties on the people of this Province with the sole and express purpose of raising a revenue, are infringements of their natural constitutional rights, because, as they are not represented in the British Parliament, His Majesty's commons in Britain, by those acts, grant their property without their consent.

This House further are of opinion, that their constituents considering their local circumstances, cannot by any possibility be represented in the Parliament, and that it will forever be impracticable that they should be equally represented there, and consequently not at all, being separated by an ocean of a thousand leagues; and that His Majesty's Royal predecessors, for this reason, were graciously pleased to from a subordinate legislation here, that their subjects might enjoy the inalienable right of a representation, and that, considering the

utter impracticability of their ever being fully and equally represented in Parliament, and the great expense that would unavoidably attend even a partial representation there, members of this House think that a taxation of their constituents, even without their consent, grievous as it is, would be preferable to any representation that could be admitted for them there.

Upon these principles, and also considering that were the right in Parliament ever so clear, yet, for obvious reasons, it would be beyond the rules of equity that their constituents should be taxed on the manufactures of Great Britain here in addition to the duties they pay for them in England, and other advantages arising to Great Britain from the acts of trade, this House have prepared a humble, dutiful and loyal petition to our most gracious Sovereign, and made such representations to his Majesty's Ministers as they apprehend would tend to obtain redress.

They have also submitted it to consideration, whether any people can be said to enjoy any degree of freedom, if the Crown in addition to its undoubted authority of constituting a Governor, should also appoint such a stipend as it shall judge proper, without the consent of the people and at their expense; and whether, while the judges of the land and other civil officers in the province hold not their commission during good behaviour, their having their salaries appointed for them by the Crown, independent of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.

In addition to these measures, the members of the House wrote a letter to their agent, Mr. DeBerdt, the sentiments of which he is directed to lay before the Ministry, wherein they take notice of the hardship of the act for preventing mutiny and desertion which requires the Governor and Council to provide enumerated articles for the King's marching troops and the people to pay the expense, and also of the commission of the gentlemen appointed commissioners of the customs to reside in America, which authorizes them to make as many appointments as they think fit, and to pay the appointees what sums they please, for whose malconduct they are not responsible, from whence it may happen that officers of the Crown may be multiplied to such a degree as to become dangerous to the liberties of the people, by virtue of a commission, which does not appear to this

House to derive any such advantages to trade as many have been led to expect.

These are the sentiments and proceedings of this House; and as they have too much reason to believe that the enemies of the colonies have represented them to His Majesty's Ministers and the Parliament as factious, disloyal, and having a disposition to make themselves independent of the mother country, they have taken occasion, in the most humble terms to assure His Majesty and his Ministers that with regard to the people of this Province, and as they doubt not of all the colonies, the charge is unjust.

The House is fully satisfied that your Assembly is too geneorus and enlarged in sentiment to believe that this letter proceeds from an ambition of taking the head or dictating to the other Assemblies. They freely submit their opinion to the judgment of others, and shall take it kind in your House to point out to them anything further which may be thought necessary.

The House cannot conclude without expressing its confidence in the King, our common head and father, that the united and dutiful application of his distressed American subjects will meet with his Royal and favorable acceptance.

In the name and by order of the House of Representatives.

THOMAS CUSHING,
Speaker.

The Speaker of the House of Assembly,
In the Province of Nova Scotia.

APPENDIX B.

"The Committee of H. M. Council, appointed to examine into the facts stated in the memorial of Colonel Alexander McNutt addressed to the Rt. Hon. the Lords Commissioners for Trade and Plantations dated the 17th of April, 1766, transmitted by their Lordships to His Excellency Governor Wilmot, and laid before H. M. Council by the Hon. Michael Francklin, Esq., Lieut. Governor of the Province on the 26th inst. Having deliberately and maturely considered the several Allegations and examined into the particular facts therein asserted, do report viz:

"That His Excellency Governor Lawrence issued a proclamation dated the 12th of October, 1758 (as Colonel McNutt sets forth) for settling the vacated lands in this Province.

"That being found necessary to declare the terms on which the same would be granted another Proclamation of the 11th of January, 1759, was published and transmitted to Thomas Hancock, Esq., then Agent for this Government at Boston.

"That in consequence of those proclamations many Committees appointed by Persons in the Colonies proposing to settle themselves on the said Lands came to Halifax early in the Spring of the year 1759. who were sent at the expense of Government to view the Lands intended to be granted, and on their return to Halifax, a contract was made with those Committees for the introduction of twelve Thousand Inhabitants in three years from the date of their Grants, in the following Townships, Falmouth, Horton, Cornwallis, Annapolis, Granville, Cumberland, Amherst, Sackville, Truro, Onslow, Liverpool and Yarmouth, an Account of which was transmitted to the Lords Commissioners of Trade and Plantations.

"That the Contracts above mentioned were made previous to any Application to Government by Colonel McNutt and many Thousand Inhabitants are now settled in consequence thereof in which Colonel McNutt had no Merrit or concern whatever.

"That in the Month of August of the same year, Colonel McNutt arrived at Halifax and applied to Governor Lawrence for Grants of Land for Himself and sundry persons his Associates, and obtained a reserve or large tract of Land for that purpose, which appear by a Written engagement of Governor Lawrence's to have been one Township at Port Rosaway, and six Townships in the District of Cobequid, and on the Shubenacadie River, with leave to settle Families on Thirty-Five Rights in the Township of Granville in consequence of which in the Spring following He produced a List of Six Hundred Subscribers being persons of the Colonies who had engaged with Him to settle those Lands, but of those Six Hundred Subscribers, Fifty Families only came into the Province who were transported Hither at the expense of Government, had Lands assign'd them in the Township of Truro and were supported there two years, with an additional expence to Government of building Forts and Barracks for their

Security and Troops were sent for their Protection & lately five Hundred pounds of the Provincial Funds has been expended, for opening Roads of Communication from Halifax to those Settlements, without One Shilling expence to Col. McNutt.

"That no care was taken by Colonel McNutt to Settle Families on the vacant Rights at Granville in the Time Limetted for that purpose, therefore those Rights were assign'd to Substantial Settlers from the Colonies, that He also neglected to send a sufficient number of Inhabitants to settle on the residue of the Lands reserved for Him, at Cobequid and the Bason of Minas, and the Terms of Agreement being exposed, the Government have granted some of those Lands to other Persons, but Col. McNutt has obtained Grants for Himself and Associates of One Hundred and Fifty Thousand Acres, part of that reservation to be hereafter settled, also the Township of Truro and Londonderry, the other part of the before mentioned reserve consisting of One Hundred and Fifty Thousand Acres more, on part of which are settled some of those persons He has already introduced.

"That in October, 1761, Colonel McNutt arrived at Halifax from Ireland with about Two Hundred and Fifty Persons a very unseasonable time in this Climate for Seating them on their Lands, and as most of them were indigent People without means of Subsistence they clearly remained at Halifax the ensuing Winter, and were supported by the Government, the Charitable Contribution of the Inhabitants, and some Provisions borrowed by Colonel McNutt from the Government for which he still stands indebted.

"That early in the Spring, 1762, a contribution was actually made by the Council and Principal Inhabitants of Halifax, for the hire of a Vessel to transport those indigent People and their Families, to the District of Cobequid where the best Lands, and greatest Quantities of marsh in that part of the Country were Assigned them also to furnish them with Provisions out of the Provincial Fund and without One Shilling expense to Colonel McNutt.

"That in August (It was November), 1762, Colonel McNutt arrived at Halifax from Ireland, with about One Hundred & Fifty Persons more, and was much dissatisfied that the then Lieut. Governor would not Grant them Lands on the Terms Stipulated between

the Lords of Trade and Him, Nevertheless the Settlers had Lands Assign'd them at Le Have on the usual Terms, and were transported for (from) Halifax to their Lands, and furnish'd with Provisions for the Winter at the expence of Government without One Shilling expence to Colonel McNutt.

"That in consequence of His Majesty's Instruction to the Governor of this Province dated the 20th of May, 1763, Lands have been since Granted to all such persons as were introduced by Colonel McNutt, on the Terms formerly Stipulated between the Lords Commissioners of Trade and him.

"That after enquiry we cannot find and Agent Colonel McNutt ever had at Halifax unless he means some of his Creditors of whom he borrowed Money, and at His going away deposited in His Hands Sundry securities that He had taken from the Settlers He brought into this Province for the Payment of their Passages.

"That from Colonel McNutt's return to England in 1762 He never came into this Province till the year 1765, when he arrived again at Halifax from Philadelphia, and then produced to the Government sundry lists of Persons in the Colonies associated together with a design of making Settlements in this Province, & was then accompanied by several Gentlemen of ability of Philadelphia who came in behalf of themselves and others concern'd in those associations to view the Lands in the Province, and to apply for Grants, who informed the Government that Col. McNutt had assured them that His Majesty's Instruction to the Governor of Nova Scotia dated the 20th of May, 1763—directing the Terms of Settlement to be granted to the Settlers he had introduc'd into this Province from the Kingdom of Ireland included them and all others whom He should introduce and promised that they should have Lands on those Terms which was not only deceiving those people, but also created many Difficulties for the Government Here, and those Gentlemen declared they would no further concern with Colol. McNutt and accordingly made their applications to Government for Lands, without taking any Notice of Him. Notwithstanding which the Government for Lands, without taking any Notice of Him. Notwithstanding which the Government in consideration of Colol. McNutt's apparent zeal for settling the Vacated Lands of this Province & as they conceived

it might in some measure primarily be owing to him that these Associations were entered into for that purpose and that the procuring such a number of Inhabitants of Ability was a great Acquisition to this Infant Colony, they thought it but just and right to Colonel McNutt included with each & every Association wherein he appear'd to have been in any way concern'd and his Name was accordingly inserted in the Grants made to them of about Sixteen Townships.

"That another Association from Philadelphia who had contracted with the Government to settle a Township at Sepody sent a ship about this time with Twenty-five Families agreeable to their contract seated them on their Lands furnish'd them with Stock, materials for Building & Farming and have supported with Provisions ever since in which Colonel McNutt had no kind of concern whatever.

"That in the same year a Vessel arrived at Halifax from Ireland which brought about Fifty Persons chiefly belonging to Families before introduced and settled by Colonel McNutt, and we know of no other Embarkation of Settlers whatsoever, made by Colonel McNutt notwithstanding He asserts to have introduced in several Vessels, several Hundred Families about this time.

"That the measures complained of by Colonel McNutt practised by this Government which he says has obstructed the settlement of the Province, have been Conformable to His Majesty's Instructions, and directions from the Lords Comissioners of Trade & Plantations except in the Terms of those Grants made to Him and His Associates, where the Government departed from those Instructions and directions in order to favour & Encourage him and his undertaking.

"That those Grants of Twenty Thousand Acres made to sundry persons of which Colonel McNutt complains, were made in consequence of their Petition to His Majesty, and laid out at their own expence under the direction of the Chief Surveyor, in such parts of the Province as they chose, and were intituled to, by the Tenor of His Majesty's order to the Governor of this Province, and under the Terms and conditions therein prescribed, but not within the limits of any of the tracts of Land reserved by Governor Lawrence for Colonel McNutt or any other Person, and notwithstanding, His Majesty was graciously pleased to allow them ten years for the first

period of their Settlement nevertheless upon the Grants being passed to those Gentlemen One of the Grants was immediately employ'd to procure protestant Families from Germany to settle on those Lands, and a very considerable Sum of Money was advanced for that purpose and the Settlers are now daily expected.

"That in July 1765 Mr. Green Commissary of Provisions for the Garrison of Fort Frederick on the River St. Johns acquainted Governor Wilmot that the Indians were assembled near the Fort in great numbers, and had given out that there was several French Ships of War on the Coast and that they should soon commence hostilities, and immediately after several reports were sent to the Governor from other parts of the province to the same purpose, upon which the Governor thought it advisable to send expresses to those parts of the province where it was most likely to discover the truth of these reports, and as several of the Deputy Surveyors (being persons best acquainted with the course through the Country) were sent on this Occasion, Orders were given them to make Surveys of the Land they passed over, which they perform'd and of the Land so survey'd Two Hundred Thousand Acres was Granted to Colonel McNutt and His Associates.

"That the great expence incurred by Colonel McNutt in pursuing His Scheme of making Settlements in this Province, cannot be charged to any obstruction he met with from the Government Here in any respect, nor can we tell how it arose, that Colonel McNutt tho' often called upon for that purpose never produced Vouchers for the expendature of One Shilling except He means some Accounts from His Agents, not signed by them, and otherwise very blind and imperfect wherein He is charged with the Hire & Damage of those Vessels that transported the few families He introduced from Ireland, and the Money advanced for sundrys by His Account was idly expended in bringing & hiring Vessels to coast about the Province in search of, and surveying Lands, in so much that His Associates made great complaints and protested against his Measures and refused payment of the Bills drawn on them for that expence as they found he was or might have been furnished from the Surveyor's Office at Halifax, with every thing sufficient to answer all His and their purposes.

"That the Obstruction Colonel McNutt complains of from the

Rulers in this Province since the Death of Governor Lawrence, have proceeded from his own intemperate Zeal & exorbitant demands from the Government were by His Majesty's Instructions forbid to Grant in all other respects having had the Indulgence and kind treatment from the Government that any reasonable Man could desire, not on Account of His Knowledge or Ability, but from a hope the Government had that His Zeal and application to make Settlements in this Province might be a means of inducing men of much more knowledge and ability than Himself to become Inhabitants in it.

"That the remarks already made on the expence incurred by making these Settlements to Colonel McNutt may be sufficient yet we must observe further on that head that the proportion of Land stipulated to be given Him by the plan settled between the Lords Commissioners of Trade and him for His trouble and expence in introducing Settlers into this Province, has been granted him by the Governor and Council in such tracts of Land as He himself chose and fixed upon.

"And we could wish that the great concern Colonel McNutt expresses, at being under the nesessety of mentioning anything in the least tending to the disadvantage of any Man's Caracter, and in any degree prevented his departure from Truth & Decency, his reflections on that head being altogether without either.

"That Colol. McNutt complains, that the Settlers introduced by Him have been denied several of the Privileges promised and granted to them, but we know of no Persons who are deprived of those Rights and that Liberty, which the Laws & Constitution of Great Britain, or of this Province entitle them to.

"Upon the whole the Committee of His Majesty's Council are of Opinion that the Memorial of Colonel Alexr. McNutt addres'd to the Lords Commissioners for Trade & Plantations, is almost, and altogether false and scandalous, that the facts are misrepresented & his complaints without Just grounds, that His proposals in the Latter part of His Memorial, are Presumptious, that several of them if granted would be very injurious to Private Persons, as He proposes to dispossess many of those Grantees of the Conditions contained in their Patents, which they obtain'd by Virtue of the King's Order, or by His Majesty's Proclamation making provision for disbanded Officers, Soldiers and Seamen, and of their Lands also, unless they submit to the new Terms proposed by Him.

"That other of his proposals would if Granted be highly prejudicial to the peace and good Government of this Colony, particularly that of sending two Members to represent the people in General Assembly, from each Town He settles, more especially should those He may hereafter introduce into this Province be of the same troublesome disposition with the few He has brought, the Government Here having experienced more difficulty in Keeping peace and good order in the Two little Towns of Truro and Londonderry settled by Colonel McNutt's followers, than with all the other Settlements in the whole Province, they being mostly composed of Persons from the Charter Governments who still retain so great a degree of republican principals that they make it a point to oppose on all Occasions every measure of Government calculated to support the Honor and Authority of His Majesty's Crown and Dignity. The dangerous Influence of which Spirit cannot be too much guarded against as the late unhappy disturbances in America more than abundantly prove.

"That the Laws of Great Britain, & the Laws of this Province sufficiently secure the Rights Civil and Religious of all His Majesty's Subjects in it, and the Committee cannot conceive what inducement Colol. McNutt had to suggest, Assert & propose the several matters contained in His Memorial as we find from the matter of fact inquired into, that the Government here have promoted, & forwarded His undertaking to introduce Settlers into this Province, by every means in their Power, and flattered themselves that He was employing His Time in collecting Persons to fulfill His engagements.

"Halifax 30 Augt. 1766."

"Endorsed:

"Report of the Committee of the Council of Nova Scotia on the Memorial of Mr. McNutt in Lt. Govrs. Letter of 2, Sept. 1766. Read Novr. 6. 1766. N. 108."

APPENDIX C.

Translation of original petition to the Governor Montague Wilmot, Esq, from the Acadians of River St. John and Annapolis, in French. 1763-1764 written in rude[1] French and very touching.

10. From River St. John.

20. Remarks in scroll by the Governor on a similar petition from Annapolis—condemnatory. ,

Sir:

We have respectfully received the orders which the Commandant of Fort Frederick has published under your instructions with regard to our evacuating the River St. John and we should have complied with same, if we had not hoped that through compassion for our past miseries, you would be good enough to spare us future ones.

It is true, Sir, we were beginning to free ourselves from the awful calamity brought upon us by the war; the promise of an abundant harvest guaranteed us provisions for the following year. If you absolutely order us to leave before the harvesting, most of us without money, without provisions, without vehicles, we will be obliged to live in the manner of savages, wandering from one side to the other. On the contrary, if you permit us to spend the winter here so as to dry our grain, we will be in a position to cultivate new lands in whatever locality you order us to occupy.

Your intelligent mind will tell you that a tiller of the soil who settles on new land, without provisions to live on, can only become a poor useless being to the Government on whom he depends.

We hope, Sir, that you will kindly grant us a priest of our religion. This will help us to bear with patience the trials which are inseparable from a like emigration. We await your last orders in this regard, and we have the honor to be with all respect and submission possible, Sir,

Your very humble and obedient servants,
The Inhabitants of River St. John. Received 8th August, 1763.

[1] The French text from which this translation was taken is not rude, as is given to understand above, but is, with very few mistakes, very good indeed.

The Governor will very readily attend to the redress of any grievance when it is set forth in proper terms. The Memorialists of Annapolis have assumed to themselves the right of judging, in a matter which is an Act of Government, and where in the King has appointed his Governor and Council, under the Great Seal, to judge of the manner, terms and conditions on which his land shall be disposed and with which, in the present instance, the Memorialists have not an immediate concern.

The Governor therefore cannot take any notice of this Memorial, as it is a sensure expressed in disrespectful terms, and unprecedented, against a body of persons at whose deliberations and judgments he is always present, and over whom he presides as one of the King's special servants.

Relating to the Memorial from Annapolis.
January 31st. 1764.

APPENDIX D.

LOYALIST STATISTICS—1784.

From Colonel Morse's Report on Nova Scotia in 1783—84 (See Report on Canadian Archives for 1884)

"The extent of this Province, beginning, as before, with the Peninsula, from the northeast to the southwest, the greatest length, is about 225 miles; and the greatest breadth, which is nearly north and south about 75 miles, containing, by calculation, 16,271 square miles. There are, in different parts of the Province, about 36,000 acres of cleared up lands, and 24,000 acres of marsh land diked in, making together about 60,000 acres under cultivation. The extent and contents of that part lying on the Continent, cannot be ascertained with the same precision till the boundaries are better established. There may be about 27,000 square miles, making the whole contents of the Province upwards of 43,000 square miles.

"The old inhabitants, whom I shall first name, separately from the disbanded troops and Loyalists, which have come since the late war, are computed at about fourteen thousand, exclusive of Acadians and

Indians. Of the former, who are the remains of the French inhabitants, and are dispersed all over the Province, there are about one hundred families; of the latter about three hundred men of the tribe of Micmacs, the original Indian of the Peninsula, and upon the rivers St. John and the Scodiac about one hundred and forty men of the tribe of Mareshites; but as I could not obtain such information upon this head as I wish, the computation may not be strictly correct. Before I proceed to give the number of the disbanded troops and Loyalists, it may not be improper to observe that a great part of the old inhabitants, especially the wealthy ones, are from New England, and that they discovered, during the late war, the same sentiments which prevailed in that country. I think it necessary to add that the Legislature is principally composed of these men, and that some of the higher public offices are at present filled with the most notorious of such characters.

"The number of new inhabitants, viz., the disbanded troops and Loyalists who came into this Province since the peace, I shall be able to give with precision, the whole having been mustered in the summer of 1784, in order to ascertain the number entitled to the Royal bounty of provisions. The following Return will not only show the number of men, women and children, but the different parts of the Province in which they were settling, and here I am sorry to add that a very small proportion, indeed, of these people are yet upon their lands, owing to different causes—First—their arriving very late in the season. Secondly—timely provisions not having been made by escheating and laying out lands, in which great delays and irregularities have happened. Thirdly—a sufficient number of surveyors not having been employed, but lastly and principally, the want of foresight and wisdom to make necessary arrangements, and steadiness to carry them into execution, the evils arising from which will be felt for a long time to come, not only by the individuals, but by Government, for if these poor people who, from want of land to cultivate and raise a subsistence to themselves, are not fed by Government for a considerable time longer, they must perish. They have no other country to go to—no other asylum. They have hitherto been mostly employed in building towns at the principal settlements. At Port Roseway and the mouth of the River St. John, astonishing towns have been raised,

and in less time, perhaps, than was ever known in any country before. It is, however, much to be lamented such great exertions had not been more profitably directed in cultivating their lands, for besides loss of time, they have wasted their substance in that which can never prove profitable to themselves or useful to the country.

Return of the disbanded troops and Loyalists settling in the Province of Nova Scotia, mustered in the summer of 1784:

Where Settling.	When Mustered.	Men.	Women.	Children Above 10 Years.	Children Under 10 Years.	Servants.	Total.
About Halifax Harbour	July 13	27	15	----	6	----	48
Dartmouth	July 14	175	104	68	92	41	480
Musquodoboit	May 28	10	4	----	2	----	16
Jeddore	July 17	7	5	8	6	----	26
Ship Harbour	June 2	77	25	28	19	2	151
Sheet Harbour	June 5	71	21	7	18	5	122
Country Harbour	June 13	201	26	7	14	41	289
Chedebucto	June 21	580	204	68	139	62	1,053
Island St. John	June 12	202	60	27	65	26	380
Antigonish	July 12	76	12	8	6	18	120
Pictou and Merigomish	July 26	192	65	27	40	----	324
Cumberland, Etc.,	June 28	257	160	186	232	21	856
Partridge Island		38	26	31	24	69	188
Cornwallis and Horton	June 4	91	37	44	27	38	237
Newport and Kennetcook	May 27	150	60	28	47	22	307
Windsor	May 20	127	49	23	58	21	278
Windsor Road and Sackville	July 8	52	26	23	26	3	130
Annapolis Royal, etc.,	June 24	608	349	325	318	230	1,830
Bear River	June 25	71	18	3	14	9	115
Digby	May 29	483	240	216	204	152	1,295
Gulliver's Hole. St. Mary's Bay	June 6	53	26	50	31	13	173
Nine Mile River	July 19	38	17	6	8	5	72
Chester Road	July 27	16	6	1	4	1	28
Passamaquoddy		833	304	340	310	----	1,787
River St. John		4,131	1,619	1,630	1,439	441	9,260
At Halifax, being the widows and children of Loyalists and soldiers, and other objects of charity		90	39	46	29	4	208
Between Halifax and Shelburne		326	149	51	120	8	651
Shelburne		3,401	1,823	1,420	1,279	----	7,923
Total		12,383	5,486	4,671	4,575	1,232	28,347

APPENDIX E.

CAPE BRETON CONSTITUTED A PROVINCE.

(From Brown's History.)

"Immediately after the establishment of peace between Great Britain and the United States, a great number of Loyalists flocked to Nova Scotia, where the Governor was instructed to give them every encouragement. "Free grants of land were offered to all, and in addition, a daily allowance, in the shape of money and provisions to the most needy, but, for reasons not stated, the Governor was strictly forbidden "upon any pretence whatever to make any grants in the island of Cape Breton, or in any other island comprehended within his government, without express orders for that purpose." In consequence of this order, many of the refugees, who were desirous of settling in Cape Breton, were obliged to remain in Nova Scotia. This policy, whatever may have been its object, was persevered in until 1784, when the Honorable Thomas Townshend, just raised to the peerage under the title Lord Sydney, was appointed Secretary of State for the colonies. On the accession of Lord Sydney to office, the new Ministry reversed the policy of its predecessors, and separated Cape Breton from the government of Nova Scotia. At the same time, the island of St. John's, and all that part of Nova Scotia lying to the northward of the Bay of Fundy, were erected into separate governments, the latter under the name of New Brunswick. Lieutenant-governors were appointed to Cape Breton and St. John's Islands, but the Governor of Nova Scotia was to continue Captain-General and Governor-in-Chief over the new colonies. To meet the requirements of the new Governments, a fresh set of instructions was issued by His Majesty to Governor Parr, on August 26th, from which I will now give you the substance, in abbreviated paragraphs and extracts specially relating to Cape Breton. By these instructions, Governor Parr was directed:

1. To appoint nine members of Council.

2. To administer the usual oaths and declarations to the members of the Council, and to the judges or office-holders in the island.

3. To give copies of these instructions to the Council of Cape Breton, or of such parts as he might deem convenient for His Majesty's service.

4. To relieve Cape Breton from all interferences of the Assembly of Nova Scotia, Parr was ordered 'not to assent to any law which shall be passed in our Province of Nova Scotia, which shall extend, or be deemed or construed to extend, to our island as included in our commission to you, and is thereby part of your government of Nova Scotia.'

5. 'And whereas the situation and circumstances of our island of Cape Breton will not at present admit the calling of an Assembly, you, our lieutenant-governor of our said island shall, until it appears proper to call such Assembly, in the meantime make such rules and regulations, by the advice of our Council, for the said island, as shall appear to be necessary for the peace, order, and good government thereof, taking care that nothing may be passed or done that shall in any way tend to affect the life, limb or liberty of the subjects, or to the imposing of any duties or taxes, and that all such rules and regulations be transmitted by the first opportunity, after they are passed and made, for our approbation or disallowance.'

6. It would appear that convicts were at that time occasionally sent out to the colonies, and it was ordered that 'you do not give any assent to, or pass any Act whatsoever for imposing duties on any importation of any felons from this kingdom in the Province or islands under your government.'

7. Authorizes the Governor of Nova Scotia to hear appeals from any of the Courts of Common Law in Cape Breton.

8. The order forbidding the passing of grants must have been revoked, as full instructions were sent respecting the conditions of all future grants, one being, that 'reservations shall be made to us, our heirs and successors, of all coals, and also all mines of gold, silver, copper and lead, which shall be discovered upon such lands.

9. Free grants are to be given to reduced officers of the army, and of provincial corps who had served in the United States. And lastly, a strict friendship and correspondence should be cultivated and maintained with the Indians of Nova Scotia and Cape Breton, that they might be induced to become good subjects; and for this end interviews should be held from time to time with the heads of the tribes, promising them friendship and protection. Copies of these instructions which may justly be styled the Royal Charter of Cape Breton and St. John's were sent to the lieutenant-governors of those

islands, who were at the same time informed that, in the case of the death of the Governor of Nova Scotia, the senior commanding in either of the islands should succeed him *pro tempore;* and in case of the death or absence of either of the lieutenant-governors, the eldest councillor residing in the island should administer the government thereof."

On May 29, 1784, Governor Parr was notified by Lord Sydney that A "lieutenant-governor with a suitable civil establishment would be placed upon the Island of Cape Breton," and on July 7th following, that Major Frederic Wallet Desbarres had been appointed by His Majesty to that office. The sum of 1,750 L, was also voted by Parliament on August 5th of the same year, for "defraying the charges of the Civil Establishment of His Majesty's Island of Cape Breton." Desbarres sailed from Portsmouth in September, in the ship Blenhein, which had been chartered to carry out provisions and stores to Halifax, where he arrived on November 16th, and immediately proceeded to Cape Breton. As Major Desbarres was the first civil governor of the island under the new regime you will no doubt be glad to hear what were his claims to such a responsible situation. He has himself furnished us with a detailed account of his services, in a work which he published after his removal from Cape Breton, from which I have gleaned the following particulars:

Mr. Desbarres first embarked for America in 1756, being then a lieutenant in the Sixtieth Regiment, and was for some time employed in raising recruits in Pennsylvania and Maryland, and in disciplining a corps of field artillery. In 1757, with a small detachment of volunteers he was sent in pursuit of a band of Indians which had plundered the village of Schenectady, on the frontier of New York, and scalped several of the inhabitants. Overtaking and coming upon them by surprise, in the night, he routed the Indians and made prisoners of some of their chiefs. He then established a post in the heart of the forest, where he remained three months, and kept the savages in subjection. During the remainder of the campaign of that year, he served under Lord Howe near Lake George, and was employed to reconnoitre and report upon the state of the French works at Ticonderoga. In 1758 he distinguished himself at Louisburg by seizing an intrenchment of the enemy, which greatly facilitated the debarkation of the army, and

towards the close of the siege opened a gap at the foot of the glacis, with such judgment and promptitude that General Wolfe brought his conduct under the notice of the King, who ordered him to attend Wolfe as an engineer in the celebrated expedition against Quebec. On the field of battle, upon the Heights of Abraham, in 1759, Desbarres was in the act of reporting to General Wolfe, an order he had just executed when the gallant hero received his mortal wound. In 1760 and 1761 he served in Canada, and, after its conquest, was sent to Nova Scotia to make plans and estimates of fortifying the dockyard and harbour of Halifax. In 1762 he served in the capacities of engineer and quarter-master-general, in the expedition under Colonel Amherst for the recapture of St. John's, Newfoundland. During a period of ten years, commencing in 1763, Desbarres was employed in making surveys of the coasts and harbours of Nova Scotia and Cape Breton, and during the succeeding ten years in preparing and adapting these surveys for publication. As his promotion had been stopped whilst he was engaged upon these surveys, the government, taking into consideration his long and valuable services, appointed him lieutenant-governor of Cape Breton—an appointment which in the end proved rather a punishment than a reward, as it was intended to be.

The knowledge which Desbarres had acquired of the geography of Cape Breton, while engaged in making his survey of its coasts and harbours enabled him to fix upon the most suitable place for the site of its future capital, immediately after his arrival there in November, 1784. Louisburg, it is true, possessed the advantage of an open harbour all the year round; but its situation was in other respects so objectionable, that there could be no question of the superior capabilities of the place chosen by Desbarres—the peninsula at the head of the south arm of Spanish River, one of the safest and most capacious harbours in British America. Here, accordingly, Desbarres determined to establish the seat of government, which he called Sydney, in honor of the Secretary of State, by whose advice, it was supposed, Cape Breton had been severed from Nova Scotia.

APPENDIX F.

THE EDDY REBELLION.

The Eddy Rebellion does not occupy much space in history, but it was an important event in the district where it occurred, and in the lives of those who were responsible for it. The leaders were Colonel Jonathan Eddy, Sheriff John Allan, or "Rebel John," as he was afterwards called, William Howe and Samuel Rogers. Eddy, Rogers and Allan had been, or were at that time members of the Assembly at Halifax. Allan was a Scotchman by birth, the others were from New England.

The pretext for the rebellion was the militia order of Governor Legge; the real reason was the sympathy of the New Englanders with their brother colonists. It was represented at the Continental Congress that six hundred persons in Nova Scotia, whose names were given, were ready to join any army that might come to their help. If these six hundred names represented those who were of an age to bear arms, then the statement of Arbuthnot that the New Englanders were all disloyal was correct.

The first step taken in opposition to Governor Legge's order was to petition against its enforcement. The petition from Cumberland referred to the destruction of the fort on the St. John River as "rather an act of inconsideration than otherwise," and then said, "those of us who belong to New England, being invited into this Province by Governor Lawrence's proclamation, it must be the greatest piece of cruelty and imposition for them to be subjected to march into different parts of America, and that done by order of His Majesty."

This petition was signed by sixty-four persons in Cumberland, the Amherst petition was signed by fifty-eight, and the Sackville one by seventy-three. Fifty-one of the petitioners were Acadians. The date was December 23, 1775.

Governor Legge took no other action on these petitions than to send them at once to the British government as evidence of the disloyalty of the Province, and at the same time he wrote to the Earl of Dartmouth that some persons had spread the report that he was trying to draw the militia to Halifax, that he might transport them to New England and make soldiers of them. He also adds,

"The consequence of such reports influenced the whole country, so that many companies of the militia have refused to assemble, ending in these remonstrances which here in a public manner have been transmitted to your Lordship."

As soon as it became known to the petitioners that Governor Legge would not cancel the militia order, and that the petitions had been forwarded to Downing Street, it was decided to elect delegates to meet in Cumberland to take into consideration what steps should next be taken. Accordingly representatives appointed by the petitioners met at Inverma, the home of Sheriff Allan. Jonathan Eddy and Sheriff Allan were there as members of the convention, and took especial pains to urge upon the meeting that the time had arrived for decided action. Either they must cast in their lot with their friends in Massachusetts and Connecticut, or they must be loyal to the British government. They also made it clear that they could not hold the country against the British without help from their friends. The decision must have been in favor of independent action, as almost immediately Colonel Eddy started for New England with the intention of securing help from that quarter. Allan remained for a while longer in the country, but his out-spoken sympathy with the rebels' cause was soon reported to the government and steps were taken to have him arrested.

About this time Rogers' and Allan's seats in the Legislature were declared vacant, and a reward of two hundred pounds was offered for the apprehension of Eddy and one hundred pounds each for Allan, Rogers and Howe. Allan's biographer, in writing of this period of his life, says, "His life being now in danger, he resolved to leave the Province for the revolted colonies; but previous to his departure he made several excursions among the Indians to the northward and by his influence secured for the rebel Provinces the co-operation of a large number of the Micmac tribe." He left Cumberland in an open boat on August 3, 1776, and coasting along the Bay of Fundy, reached Passamaquoddy Bay on the 11th. In Machias Bay, which he entered on the 13th, he found Colonel Eddy with twenty-eight others in a schooner on their way to the Bay of Fundy to capture Fort Cumberland. Allan tried to induce Eddy to abandon the expedition for the present, urging that it was impossible to accom-

plish anything with so small a force. Colonel Eddy was headstrong and sanguine, and kept on his way. He was sure more men would follow him, and he expected to get a large addition to his force when he reached the St. John River.

Allan, in the meantime, pushed on to Machias, and after spending a few days there, went as far as the Piscataquis River by water, and thence he took the stage to Boston. From Boston he proceeded to Washington's headquarters, giving New York, which was then in possession of the British, a wide berth. He dined with Washington, and talked over the situation. On the 4th of January he was introduced to the Continental Congress, where he made a full statement of matters in Nova Scotia.

After some deliberations, Congress appointed him superintendent of the eastern Indians and a colonel of infantry. He received his instructions from Hon. John Hancock, and left at once for Boston. While he urged upon the members in council the necessity of protecting the eastern part of Maine, and showed the advantage it would be to the rebels if, by sending out an armed force, they could take possession of the western part of Nova Scotia. This the Council promised to do.

After giving this advice, Allan himself set out to show what could be done by raiding the loyal settlers on the River St. John. This expedition was not very successful, and Colonel Allan was glad to get back to Maine, and take up the duties of his new position as superintendent of the eastern Indians. He made Machias his headquarters, and to the end of his life, which came in the year 1805, he remained a resident of the State of Maine.

Beamish Murdock, the historian of Nova Scotia, in a letter to a relative of Colonel John Allan, says: "If the traditions I have heard about John Allan are correct, he could not have been much over twenty-one years old in 1775. As he had no New England ancestors, his escapade must be attributed to ambition, romance, or pure zeal for what he thought was just and right. For the feelings against the Crown in Nova Scotia in 1775 were confined to the Acadian French, who resented the conquest, the Indians who were emigrants from New England."

Mr. Murdock was mistaken in the age of Allan. John Allan was born in Edinburgh Castle at about "half after one" of the clock, on

January 3, 1746, (O. S.), and was baptized on the 5th by Mr. Glasgow. He thus must have been in his 30th year when he joined the Eddy rebels.

After Colonel Eddy's interview with Colonel Allan in Machias Bay, he pushed on to Cumberland, and landed in Petitcodiac. His little army had increased considerably since he left Machias. At the mouth of the Petitcodiac River he stationed a small force to watch for reinforcements that might be coming to Fort Cumberland. With the main body of his followers he started overland for Chignecto, after he had supplied his commissariat from the loyal settlers along the river.

They crossed the Memramcook well up to the head of that river, and took a straight course for Point Midgic. Then going through the woods above the Jolicure Lakes, they came to the home of Colonel Allan, in Upper Point de Bute. Mrs. Allan and her children were still there, and there was no disposition on the part of the inhabitants of Jolicure to interfere in any measure against the rebels.

REBELS CAPTURE A SLOOP.

At Allan's it was learned that a vessel with provisions had been seen in the bay, heading for Fort Cumberland. Eddy sent a number of scouts down, with instructions to capture the vessel. Under the cover of darkness and a thick fog, they were able to locate the sloop in Cumberland Creek without being seen by the men on the lookout. In the early morning, when the leader of the scouts suddenly levelled his gun at the one man on deck, and called out, "If you move you are a dead man," the surprise was complete, and the man obeyed orders. The rebels boarded the sloop, and soon had all hands in irons. As it grew lighter, and the fog cleared away, Captain Baron and missionary Egleston from the fort came down to the vessel, suspecting nothing, and were both made prisoners. Egleston was taken to Boston, and remained a prisoner for eighteen months. As soon as the tide turned the vessel floated out of Cumberland Creek, and headed for the Missiquash. The Union Jack was hauled down and the Stars and Stripes run up in its place.

This capture greatly elated the rebels, furnishing them, as it did, with supplies, of which they probably stood in considerable need. The sloop could run up the Missiquash near to the farms of the Eddys,

Jonathan and Williams, who at the time owned most of the upper part of Fort Lawrence.

Colonel Eddy now decided to lose no time, but attack the fort at once. His army camped at Mount Whatley, near where the residence of David Carter now stands. Mount Whatley was called Camp Hill for a number of years after this.

While these things were being done by the rebels the English were not idle. A hundred and fifty regulars, under Colonel Gorham, had been sent to assist the garrison and strengthen the defences of the fort. When all was ready in the rebel camp, Colonel Eddy sent the following summons to Lieutenant-Colonel Gorham, demanding his surrender:

"To Joseph Gorham, Esq., Lieut-Colonel Commandt. of the Royal Fencibles Americans, Commanding Fort Cumberland:

"The already too plentiful Effusion of Human Blood in the Unhappy contest between Great Britain and the Colonies, calls on every one engaged on either side, to use their utmost Efforts to prevent the Unnatural Carnage, but the Importance of the Cause on the side of America has made War necessary, and its Consequences though in some Cases shocking, are yet unavoidable. But to Evidence that the Virtues of humanity are carefully attended to, to temper the Fortitude of a Soldier, I have to summon you in the Name of the United Colonies to surrender the Fort now under your Command, to the Army sent under me by the States of America. I do promise that if you surender Yourselves as Prisoners of War you may depend upon being treated with the utmost Civility and Kind Treatment; if you refuse I am determined to storme the Fort, and you must abide the consequences.

"Your answer is expected in four Hours after you receive this and the Flag to Return safe.

I am Sir,

"Your most obedt. Servt.,

"JONA EDDY,

"Commanding Officer of the United Forces.

"Nov. 10. 1776."

He received the following in reply:

Fort Cumberland, 10th Nov. 1776.

"Sir:

"I acknowledged the receipt of a Letter (under coular of a Flagg of Truce) Signed by one Jonan Eddy, Commanding Officer, expressing a concern at the unhappy Contest at present Subsisting between Great Britain and the Colonys, and recommending those engaged on either side to use their Endeavors to prevent the too Plentiful effusion of human Blood, and further Summoning the Comanding officer to surrender this garrison.

"From the Commencement of these Contest I have felt for my deluded brother Subjects and Countrymen of America, and for the many Innocent people they have wantonly Involved in the Horrows of an Unnatural Rebellion, and entertain every humane principle as well as an utter aversion to the Unnecessary effusion of Christian Blood. Therefore Command you in His Majesty's name to disarm yourself and party Immediately and Surrender to the King's Mercy, and further desire you would communicate the Inclosed Manifests to as many of the Inhabitants you can, and as Speedily as possible to prevent their being involved in the Same dangerous and Unhappy dilemma.

"Be assured Sir, I shall never dishonour the character of a Soldier by Surrendering my command to any Power except to that of my Sovereign from whence it originated.

I am, Sir,

"Your most hble. servt.,

"JOS. GORHAM,

"Lt.—Col., Com' at, R. F. A.,

"Commanding Officer at Fort Cumberland."

The following is Colonel Eddy's own account of the first attack on Fort Cumberland, given in "Eastern Maine" (Kidder, p. 69): "Upon Colonel Gorham's Refusal to surrender we attempted to storm the Fort in the Night of the 12th Nov. with our scaling Ladders and other Accourtements, but finding the Fort to be stronger than we imagined (occasioned by late Repairs), we thought fit to Relinquish our Design after a heavy firing from their Great Guns and small Arms, with Intermission for 2 hours, which we Sustained without any

Loss (except one Indian being wounded), who behaved very gallantly, and Retreated in good Order to our Camp."

Previous to the first attack on the place, Eddy had arranged with an Indian to sneak into the fort and open the main gate; he would have his men ready to rush in and take the place by assault. While the attack was in progress the Indian got into the place and was in the act of unbarring the gates when he was discovered by Major Dickson. The major spoiled the little scheme by slashing the Indian's arm with his sword, which left him maimed for life. The assailants soon after retreated without any very serious loss.

In another attack, made a few days later, the large barracks on the southeast side of the fort were set on fire, in the hope that it would communicate with the magazine. It is said a traitor in the rebel camp warned the English of the second attack. This also failed, but the barracks and a number of houses near the fort were burned.

Regulars and Rebels Clash.

Before the rebels had a chance to made a third attack, a sloop of war arrived in the Basin with four hundred men to reinforce the garrison. Colonel Eddy seems not to have heard of the arrival of the troops. Their presence, however, enabled Colonel Gorham to take the offensive, and the rebel camp was attacked. Eddy did not wait to try the mettle of his men, but got away with the loss of only one man. With as many of his followers as he could hold together he hastened toward Bay Verte. A short distance beyond the Inverma Farm, a squad took ambush in a thicket near a bridge, and when the regulars in pursuit were crossing the bridge the party fired a volley, killing several of the soldiers and wounding others. This so incensed the troops that they returned and set fire to Sheriff Allan's house, which was burned to the ground, together with a number of other buildings in the neighborhood. Mrs. Allan and her children escaped to the woods, where they remained until hunger compelled them to come out. She was found some days after this by her father, Mark Patton, having lived for some time on baked potatoes picked up around the burned dwelling, and was taken to his home not far from the fort. Mrs. Allan was not allowed to remain long with her father, but was carried a prisoner to Halifax. She remained only in Halifax a

few months when she was given her liberty and rejoined her husband at Machias.

Eddy, after going in the direction of Bay Verte for some time, finding he was not pursued, turned his steps toward Point Midgic, where he had called while on his march to Chignecto. From here he made his way back to Machias. Just what route he pursued or how great the difficulties he met with in this long, tiresome journey, has never been given to the public. Machias, until the close of the war, was the rendezvous of privateers and all manner of adventurers, both before and after the arrival of Eddy and Allan. Colonel Eddy's escape from Chignecto ended the rebellion in that district so far as any hope remained of a successful attempt to hand over the government of the country to the New Englanders, but the differences of opinion among neighbors, the raids of rebel bands in the district, together with the burning of a number of buildings created a strong feeling that it took years to allay.

(From Trumans "Settlers on the Isthmus of Chignecto.")

APPENDIX G.

MAJOR BARCLAY'S ELOQUENCE.

"That during the interval between the debate of Friday and this moment, he had revolved the whole of the transactions of the Governor and Council, on the subject of the judges, repeatedly in his mind; and the more he considered it, the more he was convinced of the iniquity of the proceedings, and the propriety of the motion now before the House." He went on to impress on the House the great importance of their public position—offered to act as a physician to raise them from langour and lethargy, and referred to the natural equality of men, to be modified by social laws and order. He now begged the House to consider themselves as representing the aggregate of the community. "They were the guardians of their rights and liberties. As such, in this Province, they could only have their peers, not their superiors. He begged they would particularly attend to the magnitude of their office; they were there placed as a check upon the other two branches of the Legislature, and ought religiously to watch that the liberties of the people should be inviolably preserved, and obstin-

ately defended. He was convinced of the necessity of these remarks. He saw many members in the House wanting confidence of their own powers, and he wished to take them by the hand, and place them in the seat they ought, and had an undoubted right to fill—in that seat (bowing to the House) he would now view them—and declared, that they had an undoubted right to scan, not only the conduct of his excellency's Privy Council, but even the Governor's also. True it was, that the King could do no wrong, but it did not follow from thence that his representative was equally perfect. By this remark he by no means intended to find fault with the conduct of his excellency. What he had done was dictated by his Privy Council, and they alone were and ought to be answerable for that advice." He conceived that Council in general, and one of them in particular, highly culpable. Some he thought were men of honor, but weak. He censured the late Speaker, Attorney General Blowers, severely for having tacitly sanctioned the proceedings of the House in the last session, and now taking distinct part on the contrary side. He said: "We find him openly and avowedly, in his letter to the Governor, calling himself an advocate of these gentlemen, whose cause, when under the inspection of the House, he had seemed to give up as indefensible. He had repeatedly declared, not only to professional men, but even to Mr. McGill, the incompetency of the judges,—and, although he denied to Mr. McGill his having pledged himself to Mr. Sterns, to come forward before the House as their accuser, still he would, on the arrival of the Governor-General, apply to him for their removal. From such a conduct and expressions, was it possible the Attorney General, previous to a regular trial, could declare the judges innocent? and ought he not, after being called up to the council, particularly to have detailed the whole of our proceedings on this solemn occasion? He (the Attorney General) was in duty bound to declare the sentiment of the House—to have pointed out that the complaint against the judges originated in it —that many of the members, the Solicitor-General, Major Milledge, and myself, gave information on the occasion—that the complaints of Messrs. Stearns and Taylor were taken down in writing, because they were not members of the House, and for the satisfaction of the House in case they wished their information to be repeated. The information given by the members was unnecessary to be taken down in writing, for the House could always recur to them for personal informa-

tion. That by the information of Messrs. Sterns and Taylor, the House only intended to show his excellency that they had made an enquiry beyond the limits of their own walls, and not to hand them up with the address as a proof of the criminality of the judges. That the House expected, whenever the trial took place, that public notice would have been given, in order that some of the members might come forward as evidence. That as no part of the information had been taken on oath, it could not possibly serve to condemn the judges, —and if they were to be tried, it ought to be according to law and custom, by living evidence, duly sworn, and regularly examined by both parties. Had the Attorney General given such information and advice to the Council, it was more than probable a very different mode would have been pursued. From the conversation that passed between the Attorney General and Mr. McGill, it evidently appeared that the former had, in some measure, pledged himself to Mr. Stearns; but that as he had not been consulted on the present occasion, he would not come forward. His pride appeared affected, and from that source his subsequent actions probably derived their origin. He then adverted to the extract of the Council, and called on the particular attention of the House to the manner in which it was worded. The language, he declared, marked their temper—it was criminating men who had been summoned to give information, which corresponded with the information of some of the members now present. How could the Council possibly declare the information then before them to be scandalous and groundless? Could the simple answers of the judges justify so harsh a decision? If their answer could be legally admitted as an evidence of their innocence, justice was at an end, and every species of villainy might pass unpunished. Admitting a man charged with murder by the indictment of a grand jury, would a denial of the fact acquit the prisoner? He then entered largely on the mode of trial by jury, by pointing out the duties of grand and petit juries—the satisfactory mode in which trials were held—the nature of receiving evidence, and the solemnity and candor of courts on such occasions, and declared the late trial and acquittal of the judges wanted every one of the ingredients. He concluded with declaring, that he was jealous of the honor and reputation of the House, and conjured them, by their determination on this occasion, not to entail infamy on their posterity. The rays of science, he said, had hitherto shone but oblique-

ly on this northern hemisphere; but Apollo, the Sun of Science, was now beaming his more direct rays on the hills of Windsor, and we should be cautious, lest, when we are in our graves, our more enlightened children should have cause to blush at the conduct of their fathers."

APPENDIX H.

SHELBURNE LOYALISTS.

During the autumn of 1782 one hundred and twenty heads of families in New York entered into an agreement to remove together to Nova Scotia. At a meeting held on November 11th, a committee of seven was chosen to make arrangements for the removal thither as early as possible in the following spring. Three weeks later, at another meeting, two members of the committee, Joseph Pynchon and James Dole, were selected by the company and approved by Sir Guy Carleton, the British Commander-in-Chief at New York, to proceed to Halifax and lay before Governor Parr the intentions of the associators. These agents at once proceeded on their mission, Pynchon being accompanied by his family, whom he settled at Lunenburg. Invested with ample powers to determine all matters relative to the proposed settlement, they were instructed to secure adequate grants of land at and as near Port Roseway as possible. These lands were to be free from quit-rents, to be laid out and surveyed at the cost of the government, with the reservation to the settlers of all privileges of "fishing and fowling." They were also to ask for the incorporation of their city, secure assistance in the way of workmen and material, stipulate for aid in the opening up of roads to other districts, and obtain guarantees against the impressment, "for ever," of any of the inhabitants for naval service. All these advantages were to be sought upon the distinct understanding that satisfaction on any or all points should in no way interfere with their claims upon the British government for compensation for losses, and sufferings through the war then just ended.

So cordial was the reception of the delegates by the Governor and Council, and so favorable the statements respecting the farming and fruit-growing capabilities of the proposed place of settlement made by one or two persons who had been in its neighborhood, that the

delegates at once sent back glowing reports. The Surveyor-General had assured them that the place selected was the best situation in the Province for trade, fishing and farming; both Governor Parr and Sir Andrew Snape Hammond had expressed an opinion that the proposed city would become one of the "capital ports" of the American continent; and Sir Andrew, about to sail for Englnad, had promised to support their enterprise with all his influence.

In interesting letters from Halifax at this time, Pynchon drew frequent comparisons between the natural advantages of Halifax and Port Roseway, invariably in favor of the last named place. It is evident from these letters that before the arrival of the Loyalists at Shelburne serious fears of the overshadowing influence of the coming settlement had so far affected the people of Halifax as to render the position of Governor Parr one of some embarrassment. This fear may have been caused in part of unguarded words by Loyalists and others at Halifax who were waiting the arrival of their friends at Port Roseway, with the itention of sharing their fortunes. On February 10, 1783, Pynchon wrote: "Much talk is here about the capital of Province. * * * Halifax can't but be sensible that Port Roseway, if properly attended to in encouraging settlers of every denomination, will have much the advantage of all supplies from the Bay of Fundy and the westward.

"What the consequence will be, time only will reveal. They certainly are sensibly pricked. Many go so far as to say that in a few years it will dwindle, etc. This must guard us against much opposition in private, whilst the public testimony is all for us. Many at Halifax would have tried to divert our attention to some other parts of the Province, as the Bay of Fundy, the River St. John and the eastward, and even to scatter us."

A few years' experience must have convinced Pynchon that the advisers whom he suspected of jealousy were not fairly judged.

The Governor had also engaged to provide 400,000 feet of boards against the arrival of the spring fleet, to be divided at the rate of thirteen hundred feet to each family. Thus fed with pleasant words, the delegates informed their friends in New York of their belief that the coming city would soon outrival Halifax; and, in private advices, ascribed the conduct of several persons, who had spoken to them of more suitable districts on the Bay of Fundy or the River St. John, to

jealousy only. To protect themselves and their families against danger from an influence so baneful, indications of which were not wanting, they had a little later addressed a communication to the Secretary of State and endeavored to enlist the services of Colonel Fanning and Sir William Pepperell, then in England. At the same time they put forth all possible efforts to establish mills in the neighborhood of the proposed settlement, in advance of the arrival of their friends.

The passage of the exiles from port to port was a week in length. Then stern fact took the place of fancy. The first land seen by them was Cape Sable, white with snow. Soon after, on the 4th of May, 1783, they entered the harbour for which they were bound, and anchored near its mouth.

The new Loyalist settlement received its name—Shelburne—on August 2nd. This name was given by Governor Parr, in honor of Lord Shelburne (afterwards Marquis of Landsdown), Secretary of State for the Colonies. During this visit, Governor Parr, whose presence was attended by a succession of festivities on ship and on shore, appointed several magistrates. In one important matter the inhabitants were disappointed. They had set their hearts upon the incorporation of their city. Their agents had been instructed to press the point with all earnestness, but from the Governor, now on the ground, they could obtain no satisfaction. Soon after his return to Halifax, the Governor, in a letter to Lord North, expressed an opinion that the people of Shelburne, the number of whom exceeded five thousand, would soon prove a "happy and prosperous" community.

While these five thousand exiles, suddenly set down among the rocks and stumps, were striving to make the best of their new and peculiar position, they were sorely perplexed by the arrival of five thousand others, many of whom they regarded as unwelcome neighbors. Whatever trials the earlier exiles had had to endure, their position had been preferable to that of friends who remained behind. In August, 1783, Sir Guy Carleton wrote to Washington that the disregard of the articles of peace shown by the newspapers, and by threats from committees formed in different towns, and even in Philadelphia, where the Congress was in session, was such that he was obliged by his relation to his government and by humanity itself to remove all who should wish to be removed. This removal, in view of the approaching evacuation of New York by the British forces, had to

be made in haste. In September, 1783, a large fleet with Loyalists and disbanded soldiers—8,000 in all—left New York for St. John and Shelburne. One of the vessels bound for St. John was wrecked on a ledge near Cape Sable, with the loss of ninety-nine lives, but all the vessels due at Shelburne reached their destination in safety.

The sudden arrival of five thousand persons in a settlement with five thousand previously on the ground could scarcely find shelter, was a serious event, especially near the end of September. In the emergency the government did all that was possible. Two new divisions were run out on the reservations intended for the north and south commons, and the long streets, parallel with Water street, were increased to the number of eleven. As early as November 11th the citizen settlers drew their lots and two days later the disbanded troops received theirs. Many of those who had arrived in the autumn spent the winter in the vessels at the cove, and some had a tent as their only shelter. Fortunately at Shelburne the winter was one of unusual mildness, and therefore much more satisfactory to the settlers there than to their fellow exiles in New Brunswick. Many of the Loyalists in St. John spent their first winter in log houses, bark camps and tents, and a number of persons died through exposure. At Fredericton further inland there was keener suffering. "Women, delicately reared, cared for their infants beneath canvas tents, rendered habitable only by the banks of snow which lay six feet deep in the open spaces of the forest. Men, unaccustomed to toil, looked with dismay towards a future which seemed hopeless, and as one said, who as a child passed through these dreadful days, "Strong proud men wept like children, and lay down in their snow bound tents to die." At that place, too, the survivors are said to have narrowly escaped starvation, through the non-arrival of supplies before the closing of navigation. At Shelburne, throughout the winter, rations were issued by the agents of the British government to between nine and ten thousand persons.

During the succeeding spring other lands were laid out and plotted, but the growth of the proposed city was retarded for several causes. In many cases the lots drawn were ill-suited to the business of the owners, and proper sites could only be obtained by exchange or purchase at the expense of delay. With all the effort practicable, it was not possible to secure a sufficient number of workmen nor a satisfactory supply of building materials. But more injurious than all other

causes were internal dissensions and general dissatisfaction with the provincial government. The imposition of heavy duties called forth a strong public protest and a demand that the inhabitants should be exempt from the payment of these duties until the town should be incorporated and properly represented in the Legislature. Governor Parr, in reply, expressed regret at his inability to relieve them from the payment of duties, but assured them that so soon as the House should have attended to the current business of the year he would dissolve it, and not call another until writs should have been issued for the return of members from all the new settlements. Complaints were also made about the delay in the issue of grants, but the arrival of these only increased the dissatisfaction. It was generally remarked that certain influential men seemed to have been singularly favored by the use of the lot. Suspicion in this direction led to bickerings and jealousies which were never allayed. The government appointed a committee of leading citizens to settle disputes, but the difficulties finally led to a riot, the ringleader of which was carried aboard the *Mercury,* man-of-war, and impressed as a seaman, which high-handed act called forth the bitter feeling toward the captain of the *Mercury*—the Hon. H. E. Stanhope.

APPENDIX I.

Boundary Between New Brunswick and Nova Scotia.

THE HUMBLE ADDRESS OF THE HOUSE OF REPRESENTATIVES IN GENERAL ASSEMBLY.

"May it Please your Excellency;

"We the Representatives of His Majesty's faithful subjects in the Province of Nova Scotia, beg leave to submit to your Excellency's serious consideration, the very pressing necessity of an Alteration in the Division Line, between this and the Neighboring Province of New Brunswick.

"We beg leave to suggest that as the Division Line at present runs (following the courses of the Missquash River, to its source and from thence due east to the Bay of Vert) it is only rendered vague and indeterminate form the Many Sources of said River, most of which are of equal Magnitude, and take their rise from different

Directions, but on many accounts renders the situation of the Inhabitants of the Adjoining Counties of Cumberland and Westmoreland, extremely inconvenient and perplexing as their Boundary Line and Part of them thereby made Subject to both Governments, and the great difficulty of ascertaining the Limits of the respective Jurisdictions of the Courts in those Counties, has proved a source of Continual Vexation and Controversy among the Inhabitants;

"And we beg leave further, to observe to your Excellency, that from the foregoing Inconveniences, this Province (as well as that of New Brunswick) is deprived of a material part of its Revenue, and no Assessments can be levied or Collected while it remains in its present Situation, and while the Laws can be so easily evaded.

"From your Excellency's accurate knowledge of the Province in General as well as the local Situation of the Several Counties, that form it, We are fully sensible You are persuaded of the Necessity of the Alteration, We now so ardently desire to be made, and We earnestly beg leave to implore Your strenuous Endeavors to effect an Object of so much Importance, to the Ease and Welfare of this Province, and We beg leave to recommend that the Bounds between Nova Scotia and New Brunswick, may be established as follows: Beginning at the head of Memramcook River, and from thence to run North Easterly to the head of Shediak Harbour, as the Boundary thus established will not interfere with any Lands heretofore granted, or Settlements on the Boundary Line of this Province, and admit of the Laws in both Governments, being duly administered with ease and effect."

Referring to the address of the Nova Scotia Legislature, the address proceeds:

"We cannot sufficiently express to your Excellency our surprise at so unprecedented an application of which this province has received no notice or communication whatever, and our fears of losing the best settled and most valuable part of the County of Westmoreland of which that address is calculated to deprive us. We are able, after the most diligent enquiry, to assert that there have been no complaints from the inhabitants of this province respecting any inconvenience sustained by them from the existence of the present boundary line, nor can we find the least traces of any of those controversies to which it is supposed to have given rise: and as we have good reasons

to believe that no attempts have been made to ascertain with precision the line running East from the Source of the Missiquash to Bay Verte, the apprehended inconveniences of its direction appear to us merely ideal. We are convinced that the present line was fixed by His Majesty in the greatest wisdom and that it is the fittest as being the most natural boundary that could be pointed out between the two provinces, its whole length being less than 17 miles and the part where any possible uncertainty can exist not exceeding one-fifth of that distance and that through wilderness land.

"We do, therefore, consider the application of the House of Assembly of Nova Scotia, as tending only to enlarge their jurisdiction and as sensibly affecting the rights of many hundred inhabitants of this province who are exceedingly averse to a measure that must subject them to numerous and heavy taxes from which they are at present happily exempt. We, therefore, humbly request Your Excellency will be pleased to take such measures to quiet the alarms and apprehensions of the inhabitants of this province, and for ascertaining and confirming the present boundary line as Your Excellency, in your wisdom shall think meet."

APPENDIX J.

CONGREGATIONALISM.

A large section of the population of Halifax during its earlier days was of New England origin. As early as 1752 a fully organized Independent or Congregational Church of the regular New England type was established, and the "Meeting House" at the corner of Hollis Street and Prince Street became one of the conspicuous landsmarks of the town. Within a few years of their settlement eleven or twelve years later, most of the New England townships had provided themselves with churches of the same faith and order. The outlook was that Independency, or Congregationalism, would not only be strongly entrenched at the capital, but would be the dominant type of religious organization throughout a large part of the Province, extending its sway from Cape Sable to the upper waters of the St. John. As it has not been found convenient to include the treatment of this phase of the denominational history of Nova Scotia in the chapter especially devoted to that subject, it may be glanced at here.

One of the first proceedings of the Legislature of Nova Scotia after its primary organization in 1758 was to confirm by statute the religious privileges and rights promised in the proclamations of Lawrence to the incoming settlers. While the Church of England was accorded certain special recognition so far as Colonial conditions and the pledged faith of the Crown would permit, dissenters were exempted from obligations to support her temporalities, and—provided they were Protestants—were free to provide themselves with meeting houses and ministers. The shadow of the penal laws had crept over the ocean. Roman Catholics were, indeed, allowed to live in the Province, but the law denied them a settled priesthood and the proper accessories of worship required by their ritual.

In the Act the Dissenters entitled to its exemptions and privileges were defined as "Protestant Dissenters dissenting from the Church of England whether they be Calvinists, Lutherans, Quakers, or under what denomination soever."

The Calvinists prominently in view were of course, the New Englanders, or the most of them, already in Halifax, with those talking of coming to effect settlement in the country. The term was broad enough to include possible arrivals from Scotland and Ireland. The Quakers were mentioned because even then the idea of getting settlers from Pennsylvania had been broached.

For many years Halifax had just two religious centres, St. Paul's and the "Meeting House." The former naturally gathered to itself the distinctively English element of the population, and the chief representatives of the official life of the Province. In the latter, the New England merchants, into whose hands fell so large a part of the business of early Halifax, felt completely at home. This, however, is a general, rather than an absolutely exact, representation of the case. Some very influential New England families—as the Binneys, and the Newtons—either were connected with the National Church before coming to Halifax or attached themselves to it on their arrival, while an office holder was by no means a strange sight in the "Meeting House."[1]

[1] The church affiliation of Chief Justice Belcher is ragarded by some as a matter of doubt, with probabilities inclining to the "Meeting House." He was a New Englander, but was educated (as a lawyer) in London and practiced law in Ireland. It is clear that he worshipped at St. Paul's and was deeply concerned in its interests. Mrs. Belcher was probably an Independent, as Rev. Mr. Seccomb, Congregational minister at Chester, was brought up to preach her funeral sermon.

The first Congregational minister in Halifax was the Rev. Aaron Cleveland, great-grandfather of Grover Cleveland, twice elected President of the United States of America. Mr. Cleveland was "called" in June 1750, and shortly afterwards came to Halifax, two years or more before the "Meeting House," towards the erection of which the government seems to have contributed, was ready for occupation.

A most delightful spirit of fraternization prevailed between the two communions in those early days. Whether from want of money, or indecision or the question of site, the "Meeting House" lagged considerably behind St. Paul's in speed of erection. For a year or more the Dissenters were cheerfully accorded the use of St. Paul's on Sunday afternoons to enjoy the ministrations of Mr. Cleveland, while Mr. Tully, the parish rector, himself testifies, that not only was there perfect harmony between the Church of England and the Dissenters, "But, even the most bigoted among them seldom fail to come to church every Sunday morning." Somewhere near the dividing line between 1752 and 1753 Mr. Cleveland was able to take his place in his own pulpit. The deacons of the "Meeting House" preferred the lot at the southwest corner of Hollis and Prince Streets, as being nearer the "centre of things" to that of the northwest corner of Pleasant and Morris Streets, the site originally offered Mr. Cleveland by Governor Cornwallis, and there the sacred edifice remained until destroyed by the great fire which swept Hollis Street in 1857. That the "Meeting House"[1] should eventually, by quiet and gradual processes, and without any dissatisfaction to anybody, pass into "Saint Matthew's Presbyterian Church in connection with the Established Church of Scotland" was little dreamed of by the Rev. Aaron Cleveland and his New England congregation. Of Mr. Cleveland himself we know nothing except what is supplied by the historian, [2] of St. Matthew's." The person of Aaron Cleveland stands out clear and strong. His tall athletic figure thoughtful face, self-sacrificing spirit, that once led him to shorten his life in the heroic endeavor to help save a leaky ship, would of themselves attract attention. And when we read the story of his religious conflicts, the trials and hardships of the closing years of his life and his sudden death in the house of his friend Benjamin

[1] "I find no such ground in the Scripture to apply to such a trope as church to a house of public worship. A meeting house is the term most commonly used by New England Christians." Cotton Mather.

[2] Dr. Walter Murray, President of the University of Saskatchewan. *N. S. His. Soc. Collections, Vol. XVI.*

Franklin, just as a better day seemed to be dawning we cannot help feeling that he was a man of singular capacity, strong courage, but one who failed to receive in his lifetime the recognition due his merits."

Mr. Cleveland's connection with the "Meeting House" seems to have ceased shortly after his formal installation, if such a ceremony actually took place. His successor, the Rev. John Cotton, of whom little is known, except that he was a graduate of Harvard, had come and gone by 1755. Various circumstances combined to operate to the disadvantage of the "Meeting House" as compared with its friendly rival a little farther up the hill. It became almost impossible to satisfactorily fill its pulpit. Ministers connected with the ruling order in New England did not care to embark for an out-of-the way place, where at best a certain brand of inferiority would attach to them. Of the series of pastors following Mr. Cotton, it is hard to distinguish between the settled Ministers and "occasional supplies," while the latter seem to have left a much more decided impress of their influence than the regularly inducted ministers, who did little more than come, look round, and depart. All this time practically, St. Paul's had the incalculable advantage of the uninterrupted rule of a most wise, conciliatory and capable rector and administrator, John Breynton. From 1761 till well into the period of the Revolutionary War, the Rev. John Seccomb of Chester divided his duties between his own parish and the Halifax "Meeting House." His sermons and, particularly his prayers were in their tone scarcely loyal enough for Halifax, and his services were dispensed with. He is spoken of by Dr. Murray as "a genial and kindly" man.

The gradual transference of the "Meeting House" from Congregationalism to Presbyterianism may be said to have fairly set in at the Peace of 1783. There were concurrent causes. The supply of ministers from the United States was absolutely cut off. As a rule the visiting ministers, who occasionally filled the pulpit were Presbyterians. Two of them at least deserve to be spoken of with sincerest respect and appreciation, James Murdock, of Horton, and George Gilmore, a Loyalist Irishman of Ardoise Hill, and later of Horton too. The congregation and membership which had been somewhat depleted by a homeward migration of New Englanders during the war, and by the transfer of official families to St. Paul's, were now

much strengthened by the accession of Scotch and Ulster Loyalists, though a strong and sturdy residue of New England families, the Salters, the Fairbanks, the Prescotts, the Fillis still constituted the larger part of the congregation. Some compromise or *modus vivendi* must be adopted, or the church would go pastorless and ultimately dissolve as so many of the Independent congregations in the country were doing. The compromise effected was that all should unite on a minister belonging to the established Church of Scotland, while in government and worship congregational usage should continue. The historian of St. Matthew's tells us that though the pulpit had been filled by Presbyterian ministers for over thirty years "the name Presbyterian" did not enter the congregational minutes until 1818, and did not finally "oust Protestant Dissenters till 1815." A further proof of the tenacity of the old New England element is found in the fact that the Rous version of the Psalms of David did not replace the Hymns of Isaac Watts until 1853.

DR. BROWN'S MINISTRY.

The outstanding figure in the pulpit during this compromise period,—and indeed with one exception during the whole period of the organization under whatever name from 1752 to the present time—was Andrew Brown, D. D., minister from 1785 to 1791. Dr. Brown, a young untitled man when he was in Nova Scotia, faithfully discharged his parochial duties, labored earnestly to induce his New England flock to accept Presbytery and abjure their Congregational practices, and preached excellent discourses. Had he done nothing more he would have been forgotten, as have been many of his predecessors and successors. After leaving Nova Scotia, he succeeded that great stylist, Hugh Blair, as professor of Rhetoric and Belles Lettres, in the University of Edinburgh. In that post, we can well assure ourselves that he acquitted himself admirably, if not equalling Blair in the literary finish of his diction, yet far surpassing him in the warmth and persuasiveness of his eloquence. Yet it may be doubted if anything he said or wrote at Edinburgh would have floated his name down to the present time. It is as the collector and as the author of the "Brown Papers" that his name survives.

(1) The history of these papers is a curious one and considerable mystery attaches to it still. When in Halifax, the story of the expul-

sion reached his ears. The thought fastened itself on his mind of investigating a transaction, the details of which as currently reported, seemed to him absolutely incredible. The History of Nova Scotia which he proposed to write, and for which he laid a foundation in his admirable collection and writings, was evidently intended to have the Acadian question as its central point of interest. In the absence of information, we can only assume that on an imperative call to return to Scotland from Nova Scotia, he was compelled to lay aside the work and then by reason of separation from sources of information became unable to resume and complete it. The series of accidents by which the barrel containing the documents so laboriously collected by the earnest young minister in Halifax finally got into the British Museum, and saved the early records of Nova Scotia from a serious gap has not been fully revealed.

So much for the course which things took at Halifax. At the outset Congregationalism was absolutely supreme in all the New England townships. These townships were, in fact, but little patches of New England transplanted to Nova Scotia. In each of them, within a few years of its settlement, there was either established, or put in the way of being established, an Independent Church, fashioned according to the orthodox New England model. The only difficulty experienced was that of obtaining a supply of properly qualified ministers, and it seems probable that for that reason some of the townships failed during the period intervening between the time of their settlement and the breaking out of the war of Independence to get their ecclesiastical machinery in full and regular operation.

Of the ministers who at this early period sought to sow and reap spiritual harvests in Nova Scotia our knowledge is very slight. Mr. Seccomb's contiguity to the capital, and the fact of his having actually filled a metropolitan pulpit, have preserved his name. The Rev. Aaron Cleveland of the "Meeting House" was great-grandfather of a President of the United States, as before stated. It is a gratification to find another honor accruing to Nova Scotia in the fact that one of these pioneer Independents was father of an historian. George Brancroft who wrote the Standard History of the United States was a son of the Rev. Aaron Bancroft, the first minister of Yarmouth—one of the few spots in Nova Scotia where Congregationalism still lingers.

With the exception of Mr. Seccombe of Chester, it is not known that any of the Congregationalist ministers who were settled in the New England townships on the eve of the war of the Revolution remained in the Province until its close. It is not proper to question their motives in thus withdrawing. They were placed in an embarrassing situation and to return to their homes was to follow the line of least resistance.

Spiritual succor came to the pastorless flocks from an unexpected quarter. Among the first group of Rhode Island settlers in Falmouth a lad named Henry Alleine accompanied his parents. As he grew towards manhood he came under the influence of a wave of religious enthusiasm which at that time was sweeping over the Protestant, and particularly the Puritan, parts of North America. One effect of this movement apart from its moral and spiritual results was to sensibly weaken respect for things established simply because they were established and traditional. So when Henry Alleine felt moved to play the part of a religious teacher he found no stumbling blocks in his way.

Without the assumption of clerical orders or assertion of ecclesiastical authority, in the course of a few brief years, he dotted over the New England townships with "Newlight meeting houses," within whose walls spiritual fervor made up for lack of learned discourses and the liturgical proprieties. Neither Haliburton nor Murdock mentions his name. Campbell has an appreciative notice, but seems to confuse his work with that of a transatlantic divine. The secular historian does not transcend his sphere when he recognises the forces which operate for the moral and spiritual uplift of the people.

New York, March 21st, 1783.

Sir:

In conformity to your Excellency's desire, we now lay before you the following plan for an episcopate in Nova Scotia and please ourselves with the prospect of its succeeding under your Excellency's patronage. The plan is simply this, viz:

That a Bishop be consecrated in England and sent to reside in Nova Scotia, to have the superintendence of the clergy, to ordain candidates for holy orders, and to confirm such of the laity there as shall desire confirmation, but not to be invested with any temporal power or authority whatever. In support of this plan we think many

strong reasons may be adduced, and against it, as we conceive, no objections of consequence can be made. Permit us to mention as concisely as posible, the following reasons why our request should be complied with.

1. Unless an episcopate be granted, the Church of England will be in a more disadvantageous situation in Nova Scotia than any other denomination of Christians. This has ever been the case of the church in the colonies. Other societies of christians have had their constitution complete and could reap every advantage of which it was capable in the management of it, while the Church of England could do little at any time without the special direction of her superiors at home, and before their direction could be obtained the opportunity was lost.

2. The proposed episcopate will supply the province of Nova Scotia with a sufficient number of clergymen of the established church, and without it their number will never be equal to the wants of the inhabitants, should they increase in proportion, as other colonies formerly have done.

While orders are only to be had in England, the danger of the sea, the expense of the voyage, and the difficulty of transacting business among strangers, will ever, as it ever has done, discourage the greater part of those gentlemen who would go into orders, if the danger, expense and difficulty attending a voyage to England could be avoided. We do know that many, nearly a fourth part, of those who have encountered this danger have lost their lives in the attempt. We also know that many have been obliged to incur debts on this occasion, which the scanty subsistence they were obliged to return to, has scarcely enabled them to discharge in many years—to this also it has, in a great measure, been owing that while dissenters have had ministers enough to satisfy every demand, and even to crowd into every place where they could possibly support themselves, the church has never had clergymen enough to supply the larger towns, and when any vacancy has happened, it has been so long before another incumbent could be procured, that the congregation has in a manner been dispersed and the labors of his predecessor nearly lost.

3. The fixing of a Bishop in Nova Scotia and the consequent supply of clergymen, will strengthen the attachment and confirm the loyalty of the inhabitants, and promote the settlement of the Province.

It is a point of great importance in civil society that the people should be attached to the state by means of its religion, for where they find that proper attention is paid to their spiritual concerns by their governors, they will have a stronger affection for that government than if they were left destitute of all religious instruction but such as they could provide for themselves.

Particularly with regard to Nova Scotia. It being an object of importance to Great Britain, to have that province effectually settled, it must also be an object of importance to retain the inhabitants in their loyalty. To accomplish this end it appears to us absolutely necessary to establish the constitution of the Church of England among them fully by sending a bishop to reside there.

The inhabitants of that company are, and those that shall in future go thither as settlers, will be made up of people of various religious persuasions. If the service of the church be made the most convenient for them by supplying them with ministers as fast as they are wanted, they will almost universally become members of the church, and under its influence will be more strongly attached to the British government than they would be under any other mode of worship.

To this plan of an episcopate in Nova Scotia we think no reasonable objection could be made. Should it, however, be thought exceptionable either as an expensive or an unreasonable establishment, to the former we answer: That although we wish a decent and permanent support to be provided for the Bishop, yet we think it may be done without any burden, either to the people of the province or to the nation, a portion of the unlocated lands in the province may be appropriated to that purpose, which in future time would answer the end, and in the meantime we understand that the society for the propagation of the gospel has a fund appropriated to the support of American Bishops more than adequate to the support of a Bishop in Nova Scotia.

As to the second objection, that the plan which we propose is unseasonable, while the nation is engaged in war, etc., We beg leave to observe that the clergy of most of the colonies have been soliciting the appointment of American bishops at different times, for many years past, and the answer ever has been that the present time was not a proper one, but a more favorable opportunity must be awaited

for. But as we apprehend that the nation is now on the verge of peace, we conceive no time more proper can ever present itself for the fixing of such an establishment than the present, and we are sure that the influence of such an establishment will never be more useful than now, when so large an accession of inhabitants is to be made to that Province.

We have the honor to be your Excellency's most obedient, humble servants,

CHARLES INGLIS,
SAMUEL SEABURY, &c., &c.,

To His Excellency Sir Guy Carleton, &c., &c.,

New York, March 26th, 1783.

Sir:

As we are very sensible that much will depend on good temper, prudence and ability of the gentleman who shall be appointed the Bishop of Nova Scotia, we take the liberty to recommend to your Excellency's notice the Reverend Doctor Thomas Bradbury Chandler, now in London. This gentleman is an American, and resided in America till compelled by the present commotions to take refuge in England. He is well known and much respected through the continent, and is well qualified to fill any bishoprick with dignity and honour.

We have the honour to be,

Your Excellency's most obedient humble servants,

CHARLES INGLIS,
SAMUEL SEABURY, &c.,

To His Excellency Sir Guy Carleton, &c.,

Whitehall, June 15th, 1783.

Right Honble. Lord North,

To General Sir Guy Carleton, K. B.

(Extract)

"The King's servants have taken into their consideration the letter from the clergy of the church now at New York, and their plan for an Episcopate to be established in the Province of Nova Scotia, contained in your despatch No. 65. But before they finally decide on that measure, it is very desirable that they should be informed of the

disposition of the laity, particularly those who intend to remove with them to Nova Scotia for the adoption of the plan, on which account they are anxious that you should endeavor to discover and transmit these sentiments therefrom as soon as may be, that it may certainly be known whether the recommendation of that establishment is according to the general ideas of merely confined to the clergy."

P. S. "With respect to the person recommended to fill the office of Bishop of Nova Scotia, His Majesty is so well acquainted with the character, merit and loyalty of Dr. Chandler, and of the very respectable persons who have recommended him, that there will be no difficulty in the choice of the first Bishop, as soon as a decisive resolution has been taken upon the proposed institution."

"NORTH."

Sir Guy Carleton to Lord North.

New York, 23, October, 1783.

My Lord:

The Reverend Dr. Inglis, who has the honor to wait on Your Lordship with this letter, is a clergyman whom I beg leave to recommend to your Lordship's favorable notice. He has been several years the rector of the principal church in this city, and in every stage of the late rebellion has approved himself a zealous Loyalist; on which account he has lost a considerable landed estate by confiscation, and is at length obliged to relinquish a valuable living in the church."

I am, &c., &c.

The Right Honorable Lord North,
&c., &c.,

MEMORANDUM.

Doctor Chandler declined the office of Bishop and recommended Dr. Charles Inglis, who was nominated by the King and received consecration in 1787 as Bishop of Nova Scotia, with ecclesiastical jurisdiction over the Provinces of Upper and Lower Canada, New Brunswick and Newfoundland.

APPENDIX K.

THE SHANNON AND THE CHESAPEAKE

The capture of the *Guerriere, Macedonian, Java,* etc., while they encouraged the Americans to boast of naval prowess, created, naturally enough, an indignant feeling among the officers of the British Navy. The prestige acquired by so many victories achieved by Howe, Duncan, Nelson, Cochrane and others, in the contests with the French, were in danger of being overshadowed by the successes of the Americans. The British naval officers felt that this was unfair. In all the encounters they had with United States ships, the balance as to weight of metal, size of vessels, number of crews, etc., had been in favor of their adversaries. Yet, the current of events was dimming their laurels, and injuring the confidence of victory, which had done so much for the red cross banner on the Atlantic. Among those who felt excited to redeem British naval honor from this temporary eclipse, was an English gentleman, Philip Bowes Vere Broke, commanding the *Shannon,* frigate (rated 38 guns), on the Halifax station. He had been cruising in the neighborhood of Boston harbour, in company with the frigate *Tenedos,* 38 guns, in the latter part of May. The American frigate *Chesapeake* then lay in that harbour, and Broke, desiring a combat with her, directed the *Tenedos* to leave the harbour, with a view of inducing the *Chesapeake* to venture out. It is also said he sent a written challenge to Lawrence. Captain Lawrence, a gallant young officer, lately promoted from the U. S. sloop *Hornet,* in which he had taken H. M. sloop *Peacock,* commanded the *Chesapeake,* and having manned her with picked seamen, the vessel being completely fitted for action, he quitted the roads and put to sea on Monday, June 1st. In expectation of seeing a combat, and the almost assurance of a victory on their side, some of the gentlemen and ladies of Boston went out in sail boats to view the contest. Broke, in the *Shannon,* being close in with the Boston light house, says he had the pleasure of seeing that the U. S. frigate *Chesapeake,* which he had been long watching, was coming out of the harbor to engage him. He proceeds thus: "I took a position between Cape Ann and Cape Cod, and then hove to for him to join us. The enemy came down in a very handsome manner, having three American ensigns flying: when, closing with

us, he sent down his royal yards. I kept the *Shannon's* up, expecting the breeze would die away. At half-past 5 p. m. the enemy hauled up within hail of us on the starboard side, and the battle began, both ships steering full under the topsails. After exchanging between two and three broadsides, the enemy's ship fell on board of us, her mizen channels locking in with our fore rigging. I went forward to ascertain her position, and observing that the enemy were flinching from their guns, I gave orders to prepare for boarding. Our gallant hands appointed to that service immediately rushed in, under their respective officers, upon the enemy's decks, driving everything before them with irresistible fury. The enemy made a desperate but disorderly resistance. The firing continued at all the gangways, and between the tops, but in two minutes' time the enemy were driven, sword in hand, from every post. The American flag was hauled down, and the proud old British union floated triumphantly over it. In another minute they ceased firing from below, and called for quarter. The whole of this service was achieved in fifteen minutes from the commencement of the action. Captain Broke was with the boarding party, and received a severe sabre wound in the head, while exerting himself to save two Americans from the fury of his men. The wound was said to have fractured his skull. Mr. Watt, the first lieutenant of the *Shannon,* was slain, while in the act of hoisting the British colors on the *Chesapeake.* It was said that he was killed by a ball from the *Shannon,*—the American flag being run up by mistake above the English, those left in the *Shannon* imagined a recapture, and fired. Mr. Aldham, the purser, Mr. Dunn, the captain's clerk, and 28 seamen and marines, were killed, of the company of the *Shannon.* Mr. Stephens, boatswain (who had fought under Rodney), lost an arm; and Mr. Samwell, midshipman, was wounded; 56 seamen and marines were also wounded. On board the *Chesapeake,* the captain, Lawrence, was wounded early in the action, and the wound proved mortal. He lanquished until Saturday, June 5th, when he expired. The fourth lieutenant, Ballard—Brown, lieutenant of Marines—White, sailing master, several petty officers, and about 70 of her crew, were killed. Lieutenants Ludlow, Budd and Cox—Midshipmen Weaver, Abbott, Nicols and Berry—Livermore, chaplain, and near 100 of the crew, were wounded. (Lieut. Ludlow died at Halifax on June 13th, of his wounds.) The *Chesapeake* had

440 men on board, and the *Shannon* 330, in going into action. The *Chesapeake* mounted 49 guns—eighteen on her main deck, and thirty on her quarter deck and forecastle." Captain Broke says: "Both ships came out of action in the most beautiful order, their rigging appearing as perfect as if they had only been exchanging a salute." Lieutenant Wallis, afterwards Admiral Wallis, a native of Halifax, second lieutenant of the *Shannon,* in consequence of Captain Broke's wound, took charge of her, and the third Lieutenant, Falkiner, had charge of the *Chesapeake.* They were steered for Halifax, where they both arrived on Sunday, June 6th. On Tuesday, June 8th, Captain Lawrence's remains were buried in the graveyard opposite the government house. His remains were landed, under a discharge of minute guns, at the King's wharf, from whence they were followed to the grave by his own surviving officers, those of H. M. navy and army, and many respectable inhabitants of the town. On the American flag, which covered the coffin, was placed the sword, etc., of the deceased, and the pall was supported by six captains of the Royal navy. A military band attended, and 300 men of the Sixty-fourth regiment fired three volleys over the grave. The funeral service was performed by the rector of St. Paul's Church. Nothing could be more solemn and impressive than this procession, from its landing at the King's wharf to the close. Captain Broke was made a baronet.

APPENDIX L.

Re-Annexation of Cape Breton to Nova Scotia.

DESPATCH OF LORD BATHURST TO SIR JAMES KEMPT.

Downing Street, Aug. 15, 1820.

Sir—

"I had the honor of intimating to you, previous to your departure from this country, the decision to which His Majesty had come, of re-annexing the Island of Cape Breton to the Government of Nova Scotia, and you must have observed the alteration which had in consequence been made in your commission and instructions.

"His Majesty considers it most desirable that this arrangement should be no longer delayed, and has commanded me to instruct you

to take into your immediate consideration the measures which may be necessary to give effect to His Majesty's instructions. For this purpose it will be necessary that you should in the first place direct the issue of writs for the election of two members from the county of Cape Breton, to sit in the Legislative Assembly of Nova Scotia; and in this you will follow the course adopted in 1765, when two members were actually so returned. Upon this, you will dissolve the Council at Cape Breton, appointing, however, to seats in the Council of Nova Scotia, any one or more members whose knowledge of the local interests of the island, or whose merits in other respects, entitle them to that distinction.

"The object being to make the island in every respect an integral part of Nova Scotia, it will be your duty to consider of the measures which it will be necessary for the Legislature of Nova Scotia to adopt, in order to give effect to this intention.

"You will at once see the necessity of either applying to Cape Breton, the laws actually applicable to other parts of Nova Scotia, or of giving, by some legislative Act, legal validity for the future to the several ordinances passed since by the Governor and Council of Cape Breton, and under which that colony has hitherto been administered.

"It will be for the Legislature to decide upon which of these two courses it may be most convenient to adopt; but I cannot withhold my opinion, that it would be far more advisable to follow that which would place the whole of the province under one and the same system of law.

"With respect to the administration of justice, it will only be necessary to provide that the judges of Nova Scotia should extend their regular circuits to Cape Breton, in order to secure to the inhabitants every facility which they have any title to expect.

"I shall be most anxious to receive from you, as early as possible, a report as to those officers whom you may consider it necessary, either permanently or for a time, to retain at Cape Breton after its annexation to Nova Scotia. Among the latter, it appears to me expedient that the officer of Customs, the Naval Officer, the Surveyor-General, and the Superintendent of the Mines—who have all duties independent—should remain as heretofore, with the difference only of reporting to you, through the Superintendent, who is to be

appointed resident within the island, instead of the Lieutenant-Governor, but as this part of the question will in no degree fall under the regulation of the Assembly, it is a point of less immediate attention, and it will be a proper subject for the future consideration of His Majesty's Government.

"It is clear that the services of the judges, and it is probable also that those of the greatest part of the subordinate officers of justice, may be altogether dispensed with; but with respect to all these, it will be necessary that I should receive from you a specification of the length of their several services, in order to judge how far they may be entitled to a continuance of the whole or a portion of their respective emoluments, or to be transferred to some other situation.

"Parliament has already made provision for the payment of their several annual salaries for the present year, and it will therefore be proper that the new arrangement, though completed, should not actually take place until January 1, 1821.

"I have the honour to be, Sir,

"Your obedient humble Servant,

"BATHURST."

"J. KEMPT.

"A proclamation by His Excellency, Lieutenant-Governor-General Sir James Kempt, G. C. B., Lieut.-Governor and Commander-in-Chief in and over His Majesty's Province of Nova Scotia and its Dependencies, Etc.

"Whereas His Majesty, with a view to promote the welfare of his faithful and loyal subjects of Nova Scotia and Cape Breton, hath been graciously pleased to direct that the island of Cape Breton should be re-annexed to the Government of Nova Scotia, and the same island should from herceforth be and remain an integral art of the Government of Nova Scotia.

"I do therefore, in pursuance of His Majesty's instructions and by and with the advice of His Majesty's Council, declare that the Island of Cape Breton is, and from henceforth shall be and remain, a several and distinct county of the Province of Nova Scotia, to be called and known by the name of the County of Cape Breton, and to be represented and the Civil Government thereof to be administered, in like manner as the other counties of the province are administered and governed.

"And in pursuance of His Majesty's instructions, I have caused a writ, in the usual form, to be immediately issued directed to the Provost-Marshal or his Deputy, resident in the island, for the election of two members to serve in the General Assembly of Nova Scotia, being the number directed to be summoned to such Assembly before the time when the said island was first separated from the province of Nova Scotia.

"And I do hereby, in obedience to His Majesty's commands, dissolve the Council of the said Island of Cape Breton.

"And that the peace and good order of the said island may be preserved in justice duly administered therein, until more effectual provision shall be made by the Legislature of Nova Scotia, or until further order shall be duly made therein, I do hereby authorize and require that all Judges, Justices of the Peace, Constables, and other Civil Officers in commission in the said island, do continue in the execution of their respective offices, agreeably to the several ordinances passed by the Governor and Council of Cape Breton, and under which that Colony since its separation, has been hitherto administered.

"Given under my hand and Seal at Arms, at Halifax, this ninth day of October, 1820, in the first year of His Majesty's reign. by His Excellency's Command.

"RUPERT D. GEORGE.
"GOD SAVE THE KING."

APPENDIX M.

AN EPISODE OF THE REPATRIATION.

"At last the frightful series of disasters which had befallen the Acadian people during eleven years, was drawing to a close. After having been proscribed, transported, retransported, plunged and replunged into want and misery, those who were left in Acadia had a breathing spell amidst the ruins and deaths heaped up around them. Each one settled as best he could in the place where fate had cast him. The prisoners around Halifax betook themselves, some to Prospect, south of the town, others to the north at Chezetcook, most of them to the Straits of Canso and to the Madame Islands; others, in fine, gathered together on the Baie des Chaleurs, at Nipisigny, Caraquette

and Tracadie. Perhaps the most fortunate were those who established themselves at Memramcook, on lands formerly occupied by them, where they could take advantage of clearings already made. Though these lands were still unoccupied, they had been granted, like all the rest, to favorites of the Governors and Councillors. These, in particular, had been granted to Frederick Wallet Desbarres, who had the wise foresight to allow many improvements to be made before asserting his claim. Happily the Acadians here, unlike those of the St. John River, were not obliged to quit. They obstinately clung to the soil, and ultimately they entered into an arrangement allowing them to keep the land on payment of a lease. Desbarres was satisfied with cultivating another property that had been granted to him at Menoudy, where later on he leased to the Acadians the farms which they had owned a few years before.

"Among the more favored were some families called d'Entremont of Cape Sable; they were not only reinstated in their possessions but provided once more with legal titles to their property, and this was the beginning of the strong Acadian colony that has grown up there since that time. They owed this favor to the following incident: About 1765, several members of this family, descended from the ancient barons of Pobomcoup (Pubinco), had set sail from Boston with the intention of taking up their abode in Quebec. When they put into port at Halifax, they met an English officer who recognized them and warmly welcomed them, because one of them had formerly saved his life. He dissuaded them from settling in Canada, promising to get their property and titles restored to them, which he succeeded in doing.

"When peace was concluded in 1763"—I am quoting, with slight additions of my own, from Rameau—"out of about 6,500 Acadians who had been deported to the United States, there remained a little more than one-half. Often had they in vain begged the authorities to allow them to leave the place of their exile; but after the peace their homeward rush was resistless. Divers groups made for Canada, where they settled, some at l'Acadie, near St. John, P. Q., others at Saint-Gregoire, Nicolet and Becancour, in the District of Three Rivers, and others at Saint-Jacques-l'Achigan, in all of which places they formed rich and prosperous parishes.

"Those who had not been able to join this exodus, met together three years later in the spring of 1766, at Boston, with the intention of wending their way back to their lost and lamented Acadia. There remained then in foreign lands only a small minority, riveted to the spot by infirmity or extreme want. We must, however, except those who had been deported to Maryland, where the presence of English Catholics and of a few priests had made their lot less intolerable, and where some of their descendants may still be found.

" 'The heroic caravan' which formed in Boston and determined to cross the forest wilderness of Maine on its return to Acadia, was made up of about 800 persons. On foot, and almost without provisions, these pilgrims braved the perils and fatigues of a return by land, marching up the coast of the Bay of Fundy as far as the isthmus of Shediac, across 600 miles of forests and uninhabited mountains; some pregnant women of this pitiful band were confined on the way; I have known some of the sons of these children of sorrow, who told me this story as they had it from their fathers born in the course of this painful journey.

"No one will ever know all that these unfortunate people, forsaken and forgotten by everybody, suffered as they hewed their way through the wilderness; the many years gone by have long since stifled the echoes of their sighs in the forest, which itself has disappeared; all the woes of these hapless beings are now lost in the shadows of the past; others are joyously reaping harvests on their obliterated camping-grounds, and there hardly remains aught but a few dim traditions of this sublime and sorrowful exodus scattered among the fireside tales of aged Acadians in the Bay of Fundy.

"In the wild paths that wound in and out through the interminable forests of Maine, this long line of emigrants walked painfully on; there were small groups of women and children, dragging the slender baggage of misery, while the men, scattering hither and thither, sought in the chase, in fishing and even among wild roots something wherewith to feed them. There were very small children, who were hardly able to walk and were led by the hand, the larger children carrying them from time to time; many of these unfortunate mothers held an infant in their arms, and the cries of these poor babes were the only sound that broke the gloomy and dismal silence of the woods.

SUFFERINGS OF EXILED ACADIANS.

"How many died on the way, children, women and even men! How many breathed their last, overpowered by weariness, suffering from hunger, sitting down to be forgotten forever in some wild path, without priest, without consolation, without friends! The last agony of death was embittered, for these innocent victims, by all the anguish of regret and neglect.

"While this sorrowful caravan advanced, some indeed were found whose failing strength refused to carry them any further; however, all did not succumb, and one after another a few groups remained along the road to form the nuclei of future colonies. It was thus that, on the banks of the River St. John, several families fixed their abode amid the ruins of the settlements formerly occupied by the French in this district, where, in the ancient fief of Jemseg (of which La Tour had been the owner) and in that Ekoupag, some few Acadian families still dwelt.

"When the column of exiles, thinned out by the fatigues of the journey, reached the banks of the Petitcodiac, they had been four months on the road. There, at length, they could taste a few moments of repose and consolation; the first to come out at the foot of the wooded mountain-range along this river met there some men, half hunters, half husbandmen, who spoke their language, and among whom they were not slow to recognize fellow-countrymen and relatives. This was the remnant of the former inhabitants of Memramcook, Chipody and the Isthmus of Shediac. Buildings and clearings were already to be seen along the river bank, when the band of captives returning from the United States joined them at the close of the summer of 1766."

"How touching must have been the meeting, after a separation of eleven years, of these beings whose hearts were wrung by a common calamity. Here at least the wayfarers could rest for a moment in peace after their excessive fatigues, without any risk of rebuff or ill-will from indifferent or hostile strangers; the friends they had just found again were themselves very poor, but their welcome was cordial and sympathetic.

"Unfortunately, after this first burst of joy, they had to suffer a great heaviness of heart. They had cherished the hope that, away on the other side of the Bay of Fundy, at Beausejour, Beaubassin, Grand Pre, Port Royal, they would find once more their lands and perhaps

their houses, that they might be allowed to settle on the farms that were not yet occupied; but they soon realized that all this was a dream; everything had been allotted to their persecutors or to new colonists. The great and painful journey they had just made was now useless; they had no longer either home or country. These discouraging tidings overwhelmed most of them; they were utterly worn out, and, without seeking to advance, they remained on the very spot to which Providence had led them.

"However, a certain number of them could not believe that all was lost and that they were hopelessly despoiled of those rich lands, formerly wrested from the sea by the laborious skill of their forefathers. Fifty or sixty families, men, women and children, once more set out; they rounded the innermost shore of the old Baie Francaise, which had become Fundy Bay; they visited in turn Beaubassin, Pigiguit, Grand Pré; but Beausejour was now called Cumberland; Beaubassin, Amherst; Cobequid had taken the name of Truro; Pigiguit that of Windsor, and Grand Pré was named Horton; everything was changed. English names, English inhabitants; wherever they appeared they looked like ghosts come back from a past age; nobody had thought of them for a long time.

"The children were frightened at them, the women and the men were annoyed as by a threatening spectre from the grave, everybody was angry with them, and the poor wretches dragged themselves from village to village, worried and worn out by fatigue, hunger and cold, and a despair that grew at every halting place; the last was Port Royal (Annapolis), where the same irritation on the one hand and the same disappointment on the other were repeated.

"Yet, what was to be done with this caravan of poor people in rags, weary unto death, crushed by want and grief? The officers of the garrison adopted the plan of conducting them a little further south, on St. Mary's Bay, the unoccupied shores of which were lined with vast forests. The wretched Acadians, driven to exhaustion and despair by so many misfortunes, not knowing whither to go, allowed themselves to be led and so ended by stranding on this deserted shore, where lands were granted to them on December 23, 1767. Thus, without counting the long tramps they had to undertake to meet together in Boston, they had traversed on foot a distance of about a thousand miles before reaching the end of their journey.

"The most cruel crosses do not always wholly crush human energy; the calm after the tempest, the faintest glimmer of hope reviving, allow our eased spirits to cling once more to life, to resume work and make a fresh start. Under pressure of necessity these unfortunate outcasts raised log-huts; they took to fishing and hunting; they began to clear the land, and soon out of the felled trees some roughly built houses were put up."

Such was the origin of the colony that now covers all the western portion of the peninsula.

APPENDIX N.

MEMORIAL OF THE HOUSE OF ASSEMBLY TO THE KING, LORDS AND COMMONS (1775).

(Summarised from the original by Murdock.)

"They call themselves the representatives of the freeholders of the Province, and 'your loyal and ever dutiful house of assembly.' They speak of 'this dreadful and alarming crisis, when civil discord and its melancholy consequences are impending over all British America. Actuated by the warmest ties of duty and affection to the person and family of our most gracious sovereign—animated with the firmest attachment to the mother country—zealous to support her power and consequence over all the British dominions, and dreading a separation from her power and protection, as the greatest political evil which can befall us or our posterity. Influenced by the principles of humanity, and the just rights of mankind in civil society, we tremble at the gloomy prospect before us. We feel for our gracious king—we feel for our mother country, of which many of us are natives—we feel for the British-American race, once the most loyal, virtuous and happy of mankind. They 'most humbly acknowledge our gracious sovereign George the third, King of Great Britain, the lords spiritual and temporal, and the commons of Great Britain, in Parliament assembled, to be the supreme legislature of this Province and of all the British dominions, and that it is our indispensable duty to pay a due proportion of the expense of this great Empire.' They say that it is necessary to the peace of the Empire that the taxes to be raised in the colonies and disposed of by Parliament, should

be of a fixed and unalterable nature, and that the proportion of each colony should be permanently fixed. They propose a duty of so much per cent on all imports into the colonies, 'not being the produce of the British dominions in Europe and America, except bay salt,' to be fixed every ten years, so as not to vary in value with the increase or diminution of gold and silver. If any aid beyond this should be required, they wish it to be obtained in the old way, by the free votes of the colonel Assemblies. They ask for leave to pass a law, by which any one convicted of illicit trade should lose his right to sue in civil actions. They complain of the insolence of revenue officers, and wish them to be placed under control of the Governor, Council and judges. They offer as their opinion, 'that no native of this Province may ever be appointed a Governor or lieutenant-governor in this Province. The ambition of affluent individuals in the Provinces to acquire governments have led to faction and parties subversive of the peace and happiness of the people, the good of the Province, and the honor of government. Probably the present disputes in America may have been promoted by this course.' They ask to have the members of the legislative Council appointed for life, and to have a property qualification of £1000—that no collector of customs or revenue officer shall sit in the Council or in the House of Assembly. They ask for triennial Parliaments for the Province and vote by ballot, and that officers of government may be prohibited from interference therein under severe penalties. That the judges may hold their seats during good behaviour. 'We humbly pray that, after the decease of the present judges, all judges may be appointed in England, and may not be natives of this province; we can trace the present unhappy disorders in America to the want of a regulation of this kind.' They ask for a sheriff to each county, and to be delivered from a provost marshal of the Province, and his deputies, whose power in elections they call absolute. 'If we are not relieved in this particular we can have no pretensions even to the name of freemen.' They ask for a recorder of deeds for each county; that the Governor and Council and judges of Supreme Court may constitute a court of Vice-Admiralty, without fees, and that two or more judges and a jury in Supreme Court may exercise all equity jurisdiction. 'We humbly pray to be delivered from the oppression of practitioners in the law; and pray, that in all civil actions, their fees, charges and perquisites, may be

limited to five per cent. on all sums declared for or defended.' They request that the power of the court of escheats should be confined to defaults in payment of quit rent only. 'This House is sorry to observe, that most cruel use has been made of this power of escheating lands, even to the depriving of two old officers of the gratuity given them by your Majesty for near forty years of military service, and that to gratify two domestics of that Governor who ordered the escheatments; and at this time a tract of land is advertised to be escheated, on which the proprietors have laid out near £4,000.' They request that the Assembly may be annually called together, and not be prorogued or dissolved while engaged in preparing a petition to the Crown. This document closes thus: 'Most gracious sovereign, we have unhappily experienced that the redress of our grievances, and those requested regulations, could not come from us in the constitutional mode of laws, which must have passed a council, some of them without property in the Province or interest in our welfare. May the God of all goodness shower down on our gracious sovereign and his beloved family every temporal blessing. May the spirit of concord, justice and public virtue, direct the Councils of the British senate; and may the father of mercies preserve constitutional freedom to the British race in every part of the globe'."

APPENDIX O.

EXTRACT FROM R. J. UNIACKE'S PREFACE TO FIRST VOLUME OF NOVA SCOTIA STATUTES (1805).

We have the most powerful motives to cultivate the virtues, manners and habits of our ancestors, and to cling close to the venerable flock from which we derive our origin. The Province of Nova Scotia, with its islands, form the most prominent feature on the coast of North America. The vast extent of its sea coast, numerous harbors and extensive fisheries, with its almost insular situation, give it a strong resemblance to the mother country, and afford reasonable expectation, that like it, it will in time, become powerful in maritime force. The surrounding seas make its defense from foreign attack easy, and, at the same time, check that disposition to wander in search of new settlements, which is so prevalent in the rest of

America. This advantage coupled with the fisheries, will, in time, cause the population of the Province far to exceed any other country in America of the same extent. If to these advantages are added the healthiness of the climate, the fertility of the soil, the facility of exterior and interior water carriage, and the numerous coal mines, and mines of all other useful metals the reseumblance of the Province to the parent state will appear so strong, that it is impossible to avoid feeling an anxious desire to see its people diligently cultivate those laws, manners, habits and customs, of the mother country, which are the sources of her prosperity and the cause why Great Britain stands, at this day, unrivalled in arts and in arms, securely enjoying a free honest government, to which the wealth of the world flies for refuge. It cannot be too strongly inculcated as an incumbent duty on the inhabitants of this country, to copy after a people, who, at this day, exhibit to the world a national character that will be venerated while virtue and honor exist in the human breast. It is our duty to cultivate an attachment to the parent state, and to manifest on all occasions, our gratitude for the powerful protection that enables us to live with freedom and care, at a time abounding with more universal calamity than ever existed at any other period of the human history. If we train up our children to imitate the high and honorable spirit which makes Great Britain the refuge and defender of the religion, honor and virtue of all Europe; if we impress on the minds of our youth, that they derive their origin from this great people, and that their native land makes a part of the extensive dominions of Great Britain, we shall thereby prove ourselves faithful subjects to the Good King, under whose parental care the settlement of this Province has been effected, and in whose reign fertile fields have succeeded a savage and dreary wilderness, and numberless vessels which cover our shores, and rivers, have replaced the Indian's canoe. To those advantages we have to add the blessings of a mild and moderate government, supported at the expense of the mother country, and established by the great wisdom and benevolence of His Majesty, who, ever attentive to the happiness of his people in this Province, has liberally endowed and established a university, to extend the arts and sciences of this infant colony, in which he has supported a numerous body of clergy, thereby laying a foundation for the temporal and eternal happiness of his people.

The care with which His Majesty has selected men of tried abilities, and approved virtue and integrity, to preside in his courts of justice in this Province, would alone afford to us the strongest proof of his paternal care. His Majesty has always allotted for the protection of the Province, a sufficient portion of his powerful fleets and armies, which has enabled us to cultivate the arts of peace during wars which have desolated the four quarters of the world, and overturned powerful empires, kingdoms and states. If I were to proceed recapitulating the numberless instances of His Majesty's care and attention, I should far exceed the bounds of a preface; and as I have already enumerated, I hope, more than sufficient to establish in the reader's mind never-failing principles of gratitude to His Majesty, I shall only observe, that subjects bound to their King by the ties of gratitude and affection, are the only subjects whose homage is acceptable to a nation like Great Britain, that conquers but to ameliorate the condition of the vanquished.

BINDING SECT

